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APPEAL STAFF REPORT

SUBSTANTIAL ISSUE DETERMINATION & DE NOVO HEARING

Appeal number A-3-WAT-02-002, Area C Parcel Line Adjustment

Applicants Ralph and Kathleen Edwards, Pajaro Valley Unified School District (PVUSD)

Appellants Commissioners Sara Wan and Christina Desser
Sierra Club
Karell Reader
Daniel Hernandez

Local government City of Watsonville

Local decision Approved with conditions (December 11, 2001)

Project location City of Watsonville Coastal Zone Area C (within city limits west of Highway One generally between West Airport Boulevard and Harkins Slough Road) in south Santa Cruz County (APNs 018-281-02, 018-281-08, 018-281-12, 018-281-14, 018-281-18, and 018-281-19).

Project description Adjustment of parcel lines between six of the seven parcels that make up City of Watsonville Coastal Zone Area C.

File documents City of Watsonville Certified Local Coastal Program and all amendments thereto (through Major Amendment 1-01); California Coastal Commission Appeal File A-3-WAT-01-070 (PVUSD New Millennium High School); City of Watsonville Coastal Development Permit Application File 01-103.

Staff recommendation ... **Substantial Issue Exists; Approval with Conditions**

Summary of staff recommendation: This is the substantial issue determination and de novo hearing for appeal number A-3-WAT-02-002. Staff recommends that the Commission find that a substantial issue exists with respect to this project's conformance with the certified City of Watsonville Local Coastal Program (LCP) and take jurisdiction over the coastal development permit (CDP) for the project. Staff subsequently recommends that the Commission approve the coastal development permit for this development subject to conditions designed to allow only two final Area C parcels (a high school parcel and a non-high school parcel) to which the LCP-required Area C property restrictions are fully applied.



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1. Report Summary

The City approved a lot line adjustment involving six of the seven parcels that make up City Coastal Zone Area C (see exhibit B for the existing and proposed/City-approved parcels). The lot line adjustment is meant to facilitate the development of PVUSD's previously approved New Millennium High School project (the adjustment of lot lines is, in fact, a requirement of the City's high school CDP).¹

The Appellants generally contend that the City's approval did not adequately protect Area C lands for agriculture and habitat as directed by the LCP.

The City's previous high school approval and the LCP dictate that any portion of Area C not used for high school development be permanently and exclusively protected for agriculture and habitat purposes. In other words, the previously approved high school development "uses up" all development potential for Area C. The approved lot line adjustment does not include provisions to ensure that the non-high school parcels are permanently protected for agriculture and habitat as directed by the LCP and the high

¹ PVUSD's New Millennium High School project was previously approved by the City of Watsonville in City CDP 00-28. The Commission, on appeal of the City's decision (A-3-WAT-01-070) declined to take CDP jurisdiction over CDP 00-28. Litigation has been filed against the City, the Commission, and PVUSD in Santa Cruz County Superior Court challenging various aspects of the New Millennium High School project. That litigation remains pending and a court date has yet to be set as of the date of this report.



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school CDP.

In addition, the LCP only allows for lot line adjustments if the resultant parcels can meet Area C performance standards or are permanently protected and preserved for agriculture and habitat; the LCP includes a Specific Plan and agricultural viability reporting requirement for this purpose. In this case, of the resultant parcels, one would be 100% environmentally sensitive habitat area (ESHA), a second would be nearly 100% ESHA, and a third would be too narrow to maintain the required 200 foot agricultural setbacks. Furthermore, the new parcel configuration would likely preclude clustering development (to avoid development in the critical public viewshed) and the potential for differing parcel ownerships would likely threaten agricultural viability (due to differing uses, lack of irrigation water access, lack of site access, etc.) on the agricultural portions of the resultant parcels. The approved lot line adjustment does not include the LCP-required Specific Plan and does not include the LCP-required agricultural viability report.

In addition, while it can be inferred based on an understanding of City CDP 00-28, it is not legally clear in the approved lot line adjustment project which resultant parcel(s) would be allotted to high school use and which not. Because of this, it is not clear to which parcels the required additional high school property restrictions (such as the required one-foot utility non-access easement per City CDP 00-28) would be applied. Absent clear identification, parcels for which high school development is not envisioned might not be adequately protected, and, vice-versa, parcels envisioned for high school development might be barred from such development (if permanently protected for agricultural use, for example).

In sum, the approved lot line adjustment results in parcels that could not accommodate development consistent with Area C LCP standards and which have not been otherwise permanently protected as directed by the LCP. Absent the LCP-required property restrictions, such resultant parcels could result in development harmful to ESHA and coastal agriculture in the future due to constitutional takings considerations. Although clearly related to the previously approved high school development, there is no legal mechanism adequately linking this lot line adjustment with the school project in such a way that the parcels that make up Area C will effectively protect ESHA and agriculture while allowing for a school consistent with the LCP.

For the above reasons, a substantial issue exists with respect to this project's conformance with the certified LCP such that the Commission must take jurisdiction over the coastal development permit for the project. In order to ensure LCP conformance, the resultant parcels must be clearly restricted as directed by the LCP. Special Conditions are being applied to the lot line permit to limit the resultant parcels to two (a high school parcel and a non-high school parcel) and to require the legal recordation of ESHA, ESHA buffer, agricultural, and agricultural buffer easements and restrictions on the area not approved for school development by the City's previously approved high school CDP. The non-high school parcel's development potential is formally extinguished by deed restriction. The resultant parcelization (only 2 parcels) and the development potential of each parcel is therefore clarified to ensure that LCP-incompatible development is not otherwise contemplated for Area C in the future (see exhibit K for site plan of approved final parcel and legal instrument areas).



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When understood in tandem with the requirements of City CDP 00-28 for the New Millennium High School itself, the result of this conditioned approval will be to allow for a high school development on a portion of Area C and the extinguishing of development potential for the remainder of Area C not slated for high school development. This applies not only to the area within which parcel lines are being adjusted here, but also the City-owned parcel making up the remainder of Area C within which similar ESHA property restrictions must be applied pursuant to City CDP 00-28. In this way, the intent of the LCP for Area C is realized and the Commission can find the project consistent with the certified City of Watsonville LCP.

2. Appeal of City of Watsonville Decision

A. City of Watsonville Action

On December 11, 2001, the City of Watsonville approved a CDP for the proposed lot line adjustment project subject to multiple conditions (see exhibit C for the City's staff report, findings and conditions on the project). Notice of the City's action on the CDP was received in the Commission's Central Coast District Office on Thursday, December 20, 2001. The Commission's ten-working day appeal period for this action began on Friday, December 21, 2001 and concluded at 5pm on Monday, January 7, 2002. Four valid appeals (see below) were received during the appeal period.

B. Appeal Procedures

Coastal Act Section 30603 provides for the appeal of approved coastal development permits in jurisdictions with certified local coastal programs for development that is: (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance; (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff; (3) in a sensitive coastal resource area; (4) for counties, not designated as the principal permitted use under the zoning ordinance or zoning district map; and (5) any action on a major public works project or energy facility. This project is appealable because it is a major public works project (i.e., development by a special district), and because the properties involved include portions of Hanson Slough and West Branch Struve Slough wetlands.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the standards set forth in the certified LCP or the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under Section 30604(b), if the Commission conducts a de novo hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act, if the



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project is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone. This project is not located between the nearest through public road and the sea, and thus this additional finding need not be made in a de novo review in this case.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo stage of an appeal.

C. Appellants' Contentions

The four appeals generally contend that the approved lot-line adjustment will result in parcels that are inconsistent with the LCP because the resultant parcels have not been properly restricted for preservation of coastal agriculture and ESHA.² As summarized by Commissioner Appellants Wan and Desser:

In sum, the City LCP allows for high school development (as previously approved for a portion of Area C by City CDP 00-28) provided certain restrictions are placed on the high school property and the remainder of Area C is permanently and exclusively protected for agriculture and habitat. The City LCP only allows for lot line adjustments if the resultant parcels can meet Area C performance standards or are permanently protected and preserved for agriculture and habitat; the LCP includes a Specific Plan and agricultural viability reporting requirement for this purpose. Although the approved lot line adjustment is clearly related to City CDP 00-28 for the high school, and must be understood in that larger context, it was approved separately and must be evaluated for LCP consistency on its own merits. The approved project does not include a Specific Plan, does not include an agricultural viability report, does not clearly identify the high school parcel(s), results in parcels that cannot accommodate development consistent with Area C standards, and does not permanently preserve and protect the remainder of Area C for agriculture and habitat (respectively). As such, the approved project's conformance with core LCP policies is questionable. These issues warrant a further analysis and review by the Coastal Commission of the lot line adjustment.

Please see exhibits E through H respectively for the entirety of each Appellant's appeal document: Commissioners Wan and Desser (exhibit E), Sierra Club (exhibit F), Karell Reader (exhibit G), and Daniel Hernandez (exhibit H).

² It should be noted that Appellant Reader additionally contends in her appeal that there are also CEQA issues with the City-approved project (see exhibit G). However, an allegation that the City-approved project raises questions of conformance with CEQA is not a valid appeal issue inasmuch as it is not an LCP issue. In other words, there is not specifically an LCP policy requiring conformance with specific parts of CEQA. That said, the issues engendered in her appeal involve the same issues raised by the other appellants; namely the question of adequate mechanisms to protect and preserve Area C lands not otherwise devoted to the high school project.



3. Staff Recommendation

A. Staff Recommendation on Substantial Issue

The staff recommends that the Commission determine that a **substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of substantial issue would bring the project under the jurisdiction of the Commission for hearing and action.

***Motion.** I move that the Commission determine that Appeal Number A-3-WAT-02-002 raises **no** substantial issue with respect to the grounds on which the appeal has been filed under §30603 of the Coastal Act.*

***Staff Recommendation of Substantial Issue.** Staff recommends a **no** vote. Failure of this motion will result in a de novo hearing on the application, and adoption of the following resolution and findings. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.*

***Resolution To Find Substantial Issue.** The Commission hereby finds that Appeal Number A-3-WAT-02-002 presents a substantial issue with respect to the grounds on which the appeal has been filed under §30603 of the Coastal Act regarding consistency with the Certified Local Coastal Program and/or the public access and recreation policies of the Coastal Act.*

B. Staff Recommendation on Coastal Development Permit

The staff recommends that the Commission, after public hearing, **approve** a coastal development permit for the proposed development.

***Motion.** I move that the Commission approve Coastal Development Permit Number A-3-WAT-02-002 pursuant to the staff recommendation.*

***Staff Recommendation of Approval.** Staff recommends a **yes** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.*

***Resolution To Approve The Permit.** The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of the City of Watsonville Local Coastal Program. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.*



4. Conditions of Approval

A. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the Permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

B. Special Conditions

- 1) **Permittee.** "Permittee" as that term is used in these conditions shall mean the property owner of any property area that is involved in this coastal development permit (i.e., current APNs 018-281-02, 018-281-08, 018-281-12, 018-281-14, 018-281-18, and 018-281-19; see exhibit B of this report) and all successors and assigns.
- 2) **Hanson Slough Riparian Area.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall have the boundary of the Hanson Slough riparian area (whose location is generally identified on page 2 of exhibit K of this report) staked for Executive Director review and approval of the extent of the riparian area. The approved Hanson Slough riparian area delineation as well as a 100 foot buffer area surrounding the riparian area shall be entirely contained within the Non-High School Parcel identified on exhibit K of this report, with parcel lines adjusted accordingly.
- 3) **Parcels.**
 - a) **Revised Parcel Map.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall submit for the review and approval of the Executive Director a revised parcel map that applies to all of City of Watsonville coastal zone Area C that shows APNs 018-281-02, 018-281-08, 018-281-12, 018-281-14, 018-281-18, and 018-281-19 being combined into two



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legal parcels (i.e., a High School Parcel and a Non-High School Parcel) in the configuration depicted by exhibit K of this report, subject to special condition 2 as regards the Hanson Slough riparian area.

- b) **Record Final Parcel Map.** WITHIN TEN (10) DAYS OF ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall record a final map with the Santa Cruz County Recorder in a form and content acceptable to the Executive Director as directed by part (a) of this special condition. The recorded document shall include legal descriptions and site plans of the all resultant City of Watsonville coastal zone Area C parcels.
- 4) **Non-High School Parcel Habitat Conservation Easement.** WITHIN TEN (10) DAYS OF ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a document in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director a Habitat Conservation Easement for the purpose of habitat and open space conservation. The Habitat Conservation Easement shall apply to all portions of the Non-High School Parcel (described in special condition 3 above) identified as "ESHA/ESHA Buffer" and "ESHA/ESHA Buffer/Ag Buffer" on exhibit K of this report (the boundary of the easement area corresponding to the Hanson Slough riparian area shall correspond to the delineation approved by the Executive Director as directed by special condition 2). The recorded document shall include a legal description and a site plan of the Non-High School Parcel and the Habitat Conservation Easement area. The recorded document shall indicate that:
 - a) **Development Prohibited.** No development, as defined in Section 30106 ("Development") of the Coastal Act or Section 9-5.830 ("Coastal Development") of the certified City of Watsonville LCP, shall occur in the Habitat Conservation Easement area except for habitat enhancement, restoration, and maintenance activities specified in a restoration plan (such restoration plan may provide for passive recreational facilities such as pathways, benches, and interpretive signs) prepared by a biologist (pursuant to City of Watsonville LCP Section 9-5.705(g)(4)) for which a coastal development permit authorization has been granted by either the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit; and
 - b) **Agriculture Prohibited.** Agricultural plantings, use and/or activities shall be prohibited in the Habitat Conservation Easement area.

The offer to dedicate Habitat Conservation Easement shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

- 5) **Non-High School Parcel Habitat and Agricultural Conservation Easement.** WITHIN TEN (10)



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DAYS OF ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a document in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to a public agency or private association approved by the Executive Director a Habitat and Agricultural Conservation Easement for the purpose of habitat and/or agricultural use conservation. The Habitat and Agricultural Conservation Easement shall apply to all portions of the Non-High School Parcel (described in special condition 3 above) identified as "Habitat + Agriculture" on exhibit K of this report (the border of the Habitat and Agricultural Conservation Easement with the Hanson Slough riparian Conservation Easement area shall correspond to the delineation approved by the Executive Director as directed by special condition 2). The recorded document shall include a legal description and a site plan of the Non-High School Parcel and the Habitat and Agricultural Conservation Easement area. The recorded document shall indicate that no development, as defined in Section 30106 ("Development") of the Coastal Act or Section 9-5.830 ("Coastal Development") of the certified City of Watsonville LCP, shall occur in the Habitat and Agricultural Conservation Easement area except for:

- a) **Habitat Restoration.** Habitat enhancement, restoration, and maintenance activities specified in a restoration plan (such restoration plan may provide for passive recreational facilities such as pathways, benches, and interpretive signs) prepared by a biologist (pursuant to City of Watsonville LCP Section 9-5.705(g)(4)) for which a coastal development permit authorization has been granted by either the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit; and/or
- b) **Agricultural Cultivation.** Normal agricultural activities (for example, row crop agriculture and grazing) for which any required coastal development permit authorizations have been granted either by the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit. For the purposes of this condition, agricultural activities are those that are directly related to the cultivation of agricultural products for sale, where agricultural products are limited to food and fiber in their raw unprocessed state, and ornamental plant material.

The offer to dedicate Habitat and Agricultural Conservation Easement shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

- 6) **Non-High School Parcel Development Rights Extinguished.** By acceptance of this permit, the Permittee acknowledges and agrees, on behalf of itself and all successors and assigns that other than the exceptions noted in special conditions 4 and 5 above, any and all development rights that may otherwise exist for the Non-High School Parcel (as the Non-High School Parcel is described in special condition 3 above) shall be considered extinguished in perpetuity. WITHIN TEN (10) DAYS OF ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all



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of the above terms of this condition. The deed restriction shall affect all of the Non-High School Parcel and shall include a legal description and a site plan of the Non-High School Parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to coastal development permit A-3-WAT-02-002.

7) High School Parcel Expansion Area Restrictions. By acceptance of this permit, the Permittee acknowledges and agrees, on behalf of itself and all successors and assigns that each of the following apply to that area of the High School Parcel (as the High School Parcel is described in special condition 3 above) that is identified as "High School Expansion Area" on exhibit K of this report:

a) Development Prohibited. No development, as defined in Section 30106 ("Development") of the Coastal Act or Section 9-5.830 ("Coastal Development") of the certified City of Watsonville LCP, shall occur in the High School Expansion Area except for:

- i) Habitat Restoration.** Habitat enhancement, restoration, and maintenance activities specified in a restoration plan (such restoration plan may provide for passive recreational facilities such as pathways, benches, and interpretive signs) prepared by a biologist (pursuant to City of Watsonville LCP Section 9-5.705(g)(4)) for which a coastal development permit authorization has been granted by either the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit; and/or
- ii) Agricultural Cultivation.** Normal agricultural activities (for example, row crop agriculture and grazing) for which any required coastal development permit authorizations have been granted either by the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit. For the purposes of this condition, agricultural activities are those that are directly related to the cultivation of agricultural products for sale, where agricultural products are limited to food and fiber in their raw unprocessed state, and ornamental plant material; and/or
- iii) School Use.** Additional high school facilities that are directly related to, and are a coordinated part of, the New Millennium High School approved by City of Watsonville coastal development permit 00-28 provided all required coastal development permit authorizations have been granted for the additional facilities by either the City of Watsonville or by the Coastal Commission if on appeal or through amendment of a Coastal Commission coastal development permit. Such facilities may include the LCP-required 200 foot agricultural buffer area if agriculture is an adjacent use; and/or
- iv) Open Space.** Maintaining the area as natural open space (i.e., where the land is intentionally left free from any development and/or placement of any structures and kept in a natural state).



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- b) **Development Rights Extinguished.** Other than the exceptions noted in part (a) above, any and all development rights that may otherwise exist for the High School Expansion Area shall be considered extinguished in perpetuity.

WITHIN TEN (10) DAYS OF ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittee shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall affect that portion of the High School Parcel (as the High School Parcel is described in special condition 3 above) that is identified as "High School Expansion Area" on exhibit K of this report and shall include a legal description and a site plan of both the High School Parcel and the High School Expansion Area. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to coastal development permit A-3-WAT-02-002.

- 8) **City of Watsonville Conditions.** All previous conditions of approval imposed on the project by the City of Watsonville pursuant to an authority other than the California Coastal Act remain in effect (City of Watsonville Application Number 01-103; see exhibit C of this report). In the event that any of the City of Watsonville permit conditions conflict with the Coastal Commission's conditions for Coastal Development Permit Number A-3-WAT-02-002, these conflicts shall be resolved in favor of the conditions for Coastal Development Permit Number A-3-WAT-02-002.

Recommended Findings and Declarations

The Commission finds and declares as follows:

5. Project Description

A. Project Location

1. Watsonville Coastal Zone Location

The Watsonville coastal zone is located in the rolling hills just outside of the lower Pajaro Valley in south Santa Cruz County. The Pajaro Valley is in the agricultural center of Santa Cruz County. Favorable climate, combined with some of the most fertile soils in the State, make this an extremely productive agricultural region. Agriculture is the principle base of the local economy, although tourism (and particularly eco-tourism) are making inroads in this area. Agricultural lands extend the three miles west of the City of Watsonville to the Monterey Bay with only a few enclaves of other development (e.g., Pajaro Dunes and Sunset Beach, which are non-contiguous oceanfront second home developments) generally representing the only non-agricultural urban land uses west of the City of Watsonville.



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Only a small portion (less than 10%) of the City of Watsonville lies within the coastal zone. This area constitutes approximately 300 acres. Generally, the coastal zone boundary follows State Highway One as it runs through Watsonville and south Santa Cruz County. However, about 75 acres of the City of Watsonville west of Highway One were deleted from the Coastal Zone by the legislature in 1979. This excluded area west of the Highway and out of the coastal zone has since been heavily developed with urban structures and uses, and it provides a marked contrast to the surrounding coastal zone lands that are essentially undeveloped farmlands and sensitive habitat areas.

For purposes of LCP planning, the City has divided their coastal zone into six areas (described as coastal zone areas A, B, C, D, E, and R). Coastal Areas A, B, and C are located directly west of Highway One, Coastal Area R is the Highway One and local road right-of-ways, and Coastal Areas D and E represent two non-contiguous public facility developments west of the City (i.e., "islands" within the City limits but separated geographically from the City). Coastal Area D is currently developed with the City's wastewater treatment facility on the Pajaro River, while Coastal Area E serves as the City's landfill.

See exhibit A for figures and photos illustrating the above-described project location information.

2. City Coastal Zone Area C

The proposed lot line adjustment project would involve almost all of City of Watsonville coastal zone Area C. Area C is located to the north of Harkins Slough Road at its intersection with Lee Road, west of Highway 1 and south of West Airport Boulevard on the western outskirts of the City of Watsonville. Area C is composed of seven parcels totaling approximately 139 acres (assessor parcel numbers 018-281-02, 08, 12, 14, 15, 18, and 19); this area represents the largest contiguous block of land within the City's coastal zone. Of the seven parcels that make up Area C, six are owned by Mr. Ralph Edwards, and one (the closest to the Highway) is owned by the City.³ It is the six Edwards parcels for which the lot lines would be adjusted by this proposal (see exhibit B for existing and proposed/City-approved parcels).

Area C is situated within a larger geographic region of extremely low intensity development without public services (water and sewer) and dominated by agricultural uses. This region extends from the western border of the City at Highway 1 all the way to the Pacific Ocean. Areas to the west and south (immediately outside the City's boundaries surrounding Area C) in unincorporated Santa Cruz County are designated by the County as Commercial Agriculture and Open Space (Watsonville Slough Ecological Reserve). Land use designations for the areas remaining within the City's jurisdiction to the north and east are designated as Environmental Management and Public. Across Highway 1 inland to the north and east are areas zoned for Industrial, Environmental Management, Residential-Low Density, Public, Residential-Medium Density, and General Commercial. As of 1997, Area C was a part of a

³ See exhibits A and B for the existing Area C parcel map. Note that PVUSD has been proceeding with a condemnation proceeding (through eminent domain) to acquire 4 of Mr. Edwards parcels, and a portion of a fifth, to create a parcel of roughly 70 acres (made up of proposed parcels 1, 2, and 3 as shown in exhibit B). As of the date of this staff report, it appears that the Edwards have consented to a sale of the 70 acres subject to the exchange discussed in the project description section later in this report.



larger single strawberry farming operation extending west outside of City limits.⁴

Again, see exhibit A for figures and photos illustrating the above-described Area C information.

Agricultural Use of Area C

Watsonville's coastal zone is part of an area where agriculture is paramount to the economy. According to the *Pajaro Valley Futures Study, November 1998*, "unlike other cities in Santa Cruz County, Watsonville's economy is almost entirely dependent on agriculture." This study provides valuable information both in the form of statistical analysis of trends in crop acreage and values over the past 20 years; and also qualitative assessments based on interviews with people who work in the industry everyday – growers, processors, labor, service industries, real estate, etc. The following is a summary of the study's findings:

The ideal growing conditions in the Pajaro Valley create high demand for the finite amount of agricultural land and land values that are considerably higher than in nearby areas. While urbanization may escalate land values to 8 to 10 times the value for agriculture, the high agricultural land values indicate the importance of the Pajaro Valley as agricultural land. Over the past twenty years agricultural production in the Pajaro Valley have increasingly shifted to higher income commodities such as strawberries, while apple production has declined. This is likely to continue as outside competition and high costs of land, water, and labor make lower income crops less economical.

Area C has primarily been in agricultural use for many years. The LCP defines the agricultural lands here as prime agricultural lands within the meaning of the Coastal Act. Historic agricultural use in the Pajaro Valley dates back to pre-European times. The subject site was originally part of James Hanson's dairy in the 1800's and appears to have stayed in grazing use until recently, as documented by historic aerial photographic analysis. Also, at times the grasses were mowed and likely used for feed, as evidenced by hay bales on the site in a 1931 aerial photograph. The background report to the LUP written in 1982 says the site at that time was partially in grazing use and partially in row crops.⁵ Most recent agricultural use of the subject parcel has been strawberry cultivation, a use that has been occurring for the most of the last decade.

Area C is situated in an agricultural area generally indistinguishable from surrounding and adjacent strawberry farms. According to the South Santa Cruz County Ranch Maps of 1997, other agricultural properties within the vicinity and region of the subject site have been used for pasture, strawberries, and vegetables.⁶ This document reveals that use across Harkins Slough Road to the southwest has more recently been for vegetable crops and a small amount of grazing. Until recently there was also an apple orchard located to the southwest as well. However, the trees have since been removed. Use of the lands

⁴ South Santa Cruz County Ranch Maps, Santa Cruz County Agricultural Commissioner's Office (1997).

⁵ California Department of Water Resources Maps show the part of the site closest to Harkins Slough Road in row crops in 1975 and the entire farmable portion of the site in row crops in 1982.

⁶ Santa Cruz County Agricultural Commission, *South Santa Cruz County Ranch Maps 1997*.



adjacent to proposal site to the west and northwest has also more recently been for grazing and strawberry cultivation.

Watsonville Slough System on Area C

Area C also encompasses large tracts of wetland resources, including portions of Hanson Slough and West Branch Struve Slough. The majority of Area C is mapped as ESHA in the LUP for this reason.⁷ Hanson and West Branch Struve Slough are two of the six major branches of the Watsonville Slough System (see exhibit A). The Watsonville Slough System drains an approximately 13,000 acre coastal watershed in south Santa Cruz County. This slough system, which winds in and out of the City of Watsonville and ultimately to the Pajaro River Lagoon/Estuary and on to the Monterey Bay, is probably the largest and most significant wetland habitat between Pescadero Marsh (in San Mateo County) to the north and Elkhorn Slough (in Monterey County) to the south. The entire Watsonville Slough System has been designated by the California Department of Fish and Game (CDFG) as an "Area of Special Biological Importance."

The Watsonville Slough System extends from areas well inland of Highway One all the way to the Monterey Bay.⁸ The Slough System includes approximately 800 acres of (flat) wetland area.⁹ Although difficult to estimate with any degree of accuracy, this Slough System has been reduced in scale over time. Farming in and around the sloughs has been ongoing since the 1850s, and much of the sloughs have been channelized, graded, and used for agricultural production or grazing at one time or another. Encroaching urbanization in and around the City of Watsonville has also led to direct encroachment into slough areas over time. Best estimates are that the Watsonville Slough System once included over 1,000 acres of wetland slough habitat.¹⁰ It is likely that the Slough System was once even larger given that these estimates are based on sparse historical data going back approximately 120 years.

Despite its historical reduction, the Watsonville Slough System remains a very important ecological system. It contains significant areas of fresh and salt water wetland, marsh, and open water areas, riparian and oak woodlands, as well as dune and coastal scrub communities nearer the coast. The diversity of habitat and its coastal location along the Pacific Coast Flyway combine to make the Slough System an important resting, feeding and refuge area for migratory, seasonal and resident waterfowl. In addition, the Slough System is home to many other birds, amphibians, reptiles, and other animals – some of these species protected by the Federal and State Endangered Species Acts – which likewise use this diverse habitat. The rich prey base supports a high diversity of raptor and other predators. Various plant species of concern, some of these endangered as well, are also prevalent in the Slough System. United

⁷ See LUP Figure 2a in exhibit A.

⁸ Again, see exhibit A.

⁹ As estimated in *Water Resources Management Plan for Watsonville Slough System Santa Cruz County* (AMBAG, November 1995).

¹⁰ *Restoring Converted Wetlands: A Case Study In Watsonville, California A Thesis Presented to The Faculty of the Department of Environmental Studies San José State University in Partial Fulfillment of the Requirements for the Degree Master of Science* by Karl Schwing, 1999, examined land survey maps from 1881 and 1908 and calculated 1,026 and 1,187 wetland acres, respectively, in the Watsonville Slough system. It should be noted that these maps did not contain wetland delineations, rather they generally depicted sloughs and marshes. Examination of aerial photographs found 500 acres of wetland in 1985 and 652 acres in 1994.



States Fish and Wildlife Service (USFWS) and CDFG both submitted comments on the LCP amendment that allowed the school use at this location indicating that the Watsonville Slough system as a whole, as well as the portions of it that are found on Area C, is biologically sensitive habitat particularly worthy of vigilant protection. CDFG indicating at the time that all of Area C should be considered ESHA within the meaning of the Coastal Act and USFWS recommending "taking the broadest view possible in interpreting the extent of ESHA resources on the site."¹¹

The six major branches making up the Watsonville Slough System are Watsonville Slough, Harkins Slough, Hanson Slough, Struve Slough, West Branch of Struve Slough (also known as West Branch Slough), and Gallighan Slough. These generally shallow, broad wetland channels transport and drain irrigation and precipitation runoff from the greater Watsonville urban and agricultural area (including Freedom, Larkin Valley, and other portions of the Pajaro Valley in unincorporated southern Santa Cruz County). During winter storm events, these slough branches often flood into broader floodplain areas, thus providing important flood protection function for adjacent lands. Such flooding often closes stretches of roads for months at a time (including Harkins Slough Road west of Area C, and the Lee Road access from the site to the south).

While the biological productivity of the Watsonville Slough System has long been widely recognized, ongoing sedimentation, and the introduction of agricultural and urban polluted runoff constituents, have combined to degrade water quality in the system over time. Such water quality issues can be exacerbated by the generally low surface flow gradient (from inland portions of the system to the Monterey Bay) as well as the constricted outflow of the system to the Pajaro River Lagoon/Estuary (where a pump station at Shell Road manages downstream flows into the tidal estuary). At least partially because of its significance, and because of the ongoing threats to its biological productivity, AMBAG completed a Water Resources Management Plan in 1995 funded by the Regional Water Quality Control Board.¹² One of the recommendations emanating from that study was the need for a comprehensive Watsonville Slough System Master Plan to identify appropriate resource protective management policies and buffer standards, as well as restoration and acquisition priorities, outside the scope of AMBAG's management plan. Subsequently, the Coastal Conservancy has funded development of such a plan for the Watsonville Slough System. Unfortunately the plan has not yet been completed.

B. City-Approved Project

The project approved by the City would adjust the parcel lines for the 6 Edwards parcels to facilitate the construction of PVUSD's previously approved New Millennium High School project.¹³ See exhibit B for the existing and proposed parcel configurations. See exhibit C for the City staff report, findings, and

¹¹ CDFG February 15, 2000 letter and USFWS March 32, 2000 letter; both on City LCP Amendment 1-99.

¹² *Water Resources Management Plan for Watsonville Slough System Santa Cruz County* (AMBAG, November 1995).

¹³ PVUSD's New Millennium High School project was previously approved by the City of Watsonville in City CDP 00-28. The Commission, on appeal of the City's decision (A-3-WAT-01-070) declined to take CDP jurisdiction over CDP 00-28. Litigation has been filed against the City, the Commission, and PVUSD in Santa Cruz County Superior Court challenging various aspects of the New Millennium High School project. That litigation remains pending and a court date has yet to be set as of the date of this report.



conditions. PVUSD is acting as the Edwards representative for the proposed lot line adjustment (see exhibit D).

The parcel line adjustment is part of a complicated land exchange by and between PVUSD, the State Coastal Conservancy, the City of Watsonville, and the Edwards. The proposed parcels appear to have been configured generally based upon PVUSD's eminent domain acquisition; ESHA areas as defined by the City LCP; and PVUSD's desire to have an expansion area generally north of the school. Proposed parcels 1, 2, and 3 generally describe the area of PVUSD's eminent domain property, parcels 5 and 6 would be PVUSD's expansion area for additional school facilities (past those already approved by the City), and parcel 4 would be a remainder parcel.

The land exchange envisioned includes a disbursement by the Conservancy of \$3 million dollars in State Proposition 12 funds to the City to allow them to purchase approximately 44 acres from Edwards (the land area represented by proposed parcels 4 and 6). The City would then give roughly one acre of the purchased land (the land area represented by proposed parcel 6) to PVUSD in exchange for roughly 38 acres that are part of PVUSD's pending eminent domain condemnation (the land area represented by proposed parcels 2 and 3). The Edwards would then donate roughly 8 acres to PVUSD (the land area represented by proposed parcel 5). According to the Conservancy, this series of transactions would take place in escrow. In other words, although the various exchanges must necessarily take place in a certain order, it will appear to be simultaneous inasmuch as at the close of escrow there would be the City-owned property (the land area represented by proposed parcels 2, 3, and 4) and the PVUSD-owned property (the land area represented by proposed parcels 1, 5, and 6). Thus, through this series of land purchases, donations, and exchanges that would occur in escrow, the Edwards would no longer own any property within Area C. At the close of escrow, the City would then own roughly 81 acres (and encompassing most all ESHA areas of Area C) in the configuration noted as the "non-high school parcel" in Exhibit K, and PVUSD would own roughly 42 acres in the configuration noted as the "high school parcel" in Exhibit K.¹⁴ In addition, if the land exchange goes as described, then, because the City currently owns the only other Area C property (located at the southeast corner of Area C at the intersection of Highway One with Harkins Slough Road; APN 018-281-15), the City would own all of Area C surrounding PVUSD's property (see exhibits B and K).

6. Substantial Issue Findings

As described above, the Appellants generally contend that the approved lot-line adjustment will result in parcels that are inconsistent with the LCP because the resultant parcels have not been properly restricted for preservation of coastal agriculture and ESHA. As summarized below, these issues raise a substantial issue with respect to the project's conformance with the City of Watsonville LCP.

¹⁴ According to the Conservancy staff report for the January 24, 2002 Conservancy meeting where the disbursement of the \$3 million necessary for the land exchange was approved. See exhibit J for the Coastal Conservancy's January 24, 2002 staff report on this matter.



A. Applicable LCP Policies

The City's certified LCP, both the Land Use Plan (LUP) and the Implementation Plan (IP or zoning) is structured with policies that generally apply throughout the City's coastal zone, as well as specific policies that apply to individual coastal zone areas (e.g., in this case, Area C). There is also a subset of Area C-specific policies that apply only to the development of a High School at this site. Due to the structure of the LCP, and because the appeals raise questions of the overall LCP intent for Area C that can best be understood by the interaction of individual Area C policies, all applicable LCP policies are provided in exhibit I. These are arranged in order by first LUP policies that generally apply to Area C as well as all coastal zone areas, then by LUP policies that specifically apply within Area C, then by IP policies that specifically apply to Area C, and finally by IP policies that are referenced by specific Area C policies and/or that apply more generally to all City coastal zone areas. As necessary, these policies are referenced and summarized in the findings that follow. For the exact text of the policies, please refer to exhibit I.

In any case, the City's certified LCP clearly reinforces core Coastal Act goals for Area C including the preservation of coastal agricultural and sensitive habitat areas. In sum, the LCP allows for a high school on Area C, but requires permanent preservation of all remaining Area C lands for this to come to fruition.

B. Consistency with Applicable LCP Policies

LCP intent for Area C in light of high school project

The LCP is structured so as to allow for public school development on a portion of Area C. Such public school development has been approved by the City on the land area generally represented by proposed reconfigured parcel 1.¹⁵ The approved high school project is important to note because it is within this context that the appealed lot line adjustment must be understood. In fact, the lot line adjustment is specifically required by City CDP 00-28 for the high school. Absent a separate CDP to recognize a lot line adjustment, the high school CDP cannot be exercised.

This context is particularly relevant because the City's previous high school approval and the LCP require that any portion of Area C not used for high school development be permanently and exclusively protected for agriculture and habitat (respectively). In other words, the high school development "uses up" all development potential for Area C. The LCP states in part (LUP Policy III.C.5.b(6) and IP Section 9-5.705(c)(5)(ii)(af)):

Any land on Area C not incorporated into the building envelope for a public school shall be used only for agricultural purposes, open space, or habitat restoration...

The approved high school CDP requires that the non-high school portion of Area C be so preserved. However, this has yet to happen. Part of the reason for this is because the parcelization of Area C was

¹⁵ Again, City CDP 00-28 for PVUSD's New Millennium High School. See exhibit B for a depiction of proposed parcel 1.



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unclear in City CDP 00-28 (and thus it was difficult to understand to what parcels various preservation mechanisms and restrictions were to apply). In any case, all lands of Area C not specifically part of the high school development envelope are required to be preserved by CDP 00-28.

As a result, the proposed parcel adjustment must be understood in this broader context of the approved high school project, but also be evaluated on its own merits at the same time.

Proposed lot line adjustment results in parcels inconsistent with the LCP

Section 9-5.705(c)(4)(x) of the LCP states:

No subdivision or other adjustment of parcel lines shall be allowed which results in the creation of any parcel that cannot accommodate development consistent with Zone C performance standards unless the parcel is permanently protected pursuant to Section 9-5.705(g)(5) [requirements for biological and agricultural easements – see exhibit I] and dedicated to agriculture or another open space use.

In this case, of the proposed resultant parcels, one would be 100% ESHA (proposed parcel 2), a second would be nearly 100% ESHA (proposed parcel 3), a third would be too narrow to maintain the required 200 foot agricultural setbacks (proposed parcel 6). In addition, the new parcel configuration would likely preclude clustering development (to avoid development in the critical public viewshed), and the potential for differing parcel ownerships could threaten agricultural viability (due to differing uses, lack of irrigation water access, lack of site access, etc.) on the agricultural portions of the resultant parcels. As such, the City-approved lot line adjustment would result in parcels “that cannot accommodate development consistent with Zone C performance standards.” Because the resultant parcels have not been permanently protected in this action as directed by the LCP, and because they would not be able to accommodate development consistent with Area C performance standards, the City-approved project raises a substantial LCP conformance issue.

Lack of a Specific Plan and Agricultural Viability Report inconsistent with the LCP

Section 9-5.705(c)(4)(xv) of the LCP states in part (see exhibit I for full text):

Area C is designated as a Special Study Area where development is subject to a Specific Plan, unless that development is: (1) one residence per existing parcel; or (2) a public school. All other development, subdivision, and/or lot line adjustment is subject to a Specific Plan. The Specific Plan shall: define all development areas for Area C; provide permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2a and outside of the building envelope pursuant to Land Use Plan Policy C.3.q and Section 9-5.705(c)(1) of this article; provide permanent measures to protect areas within agricultural and environmentally sensitive habitat areas and buffers; and ensure that all Local Coastal Program policies will be met. At a minimum, the Specific Plan shall: (1) Allow for non agricultural development only on the parcel(s) or portion(s) of parcel(s) found infeasible for continued or renewed agricultural use [pursuant to an Agricultural Viability Report] ... (2) Not allow any



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subdivision or other adjustment of parcel lines that cannot accommodate development consistent with Area C performance standards unless the parcel is permanently protected and dedicated to agriculture or another open space use; (3) Allow for resubdivision of existing parcels which is encouraged to better meet LCP objectives for Area C;...

Section 9-5.705(c)(4)(xv) of the LCP states in part (see exhibit I for full text):

Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist pursuant to Section 9-5.705(g)(4). For other non-agricultural use an Agricultural Viability Report must be prepared and must have concluded that: (1) continued agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815 [Agricultural Viability Report requirements]; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Section 9-5.704(c)). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see Section 9-5.705(c)(4)(xv)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2a and outside of the building envelope pursuant to Section 9-5.705(c)(1); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County...

Thus, to address the issues of Area C habitat preservation and agricultural viability, the LCP requires development (including a lot-line adjustment) to include a Specific Plan meant to, among other things, ensure the long-term viability of agriculture and the permanent protection of habitat areas. The LCP includes an agricultural viability reporting requirement designed to supplement the Specific Plan and provide adequate information on the effect of development on agricultural viability. The approved project does not include the LCP-required Specific Plan and has not otherwise addressed the LCP's agricultural viability analysis and reporting requirements. As a result, and again because the resultant parcels have not been otherwise protected as required by the LCP, the City-approved project raises a substantial LCP conformance issue.

Parcelization in relation to high school unclear

The adjustment of parcels is meant to define school versus non-school parcels so that preservation instruments required by the LCP can be correctly applied. Unfortunately, although it can be inferred based on an understanding of City CDP 00-28, it is not legally clear in the approved lot line adjustment project which resultant parcel(s) would be allotted to high school use and which not. Because of this, it is not clear to which parcels the required additional high school property restrictions (such as the required one-foot utility non-access easement per City CDP 00-28) would be applied. Absent clear



identification, parcels for which high school development is not envisioned might not be adequately protected, and, vice-versa, parcels envisioned for high school development might be barred from such development (if those parcels are permanently protected for agricultural use as required by the LCP, for example). If, for example, the LCP-required permanent protections were established on resultant parcels 5 and 6 (i.e., the area envisioned in the aforementioned pending land exchange deal as a high school expansion area), then the high school would not be able to expand here. --

While alone the lack of clear identification of high school versus non-high school parcels might not rise to the level of a substantial issue, in light of the other substantial issues raised, and in light of the intent of the LCP for Area C and the approved high school project, the City-approved project raises a substantial LCP conformance issue in this respect.

C. Substantial Issue Conclusion

The LCP allows for high school development (as previously approved for a portion of Area C by City CDP 00-28) provided certain restrictions are placed on the high school property and the remainder of Area C is permanently and exclusively protected for agriculture and habitat. The City LCP only allows for lot line adjustments if the resultant parcels can meet Area C performance standards or are permanently protected and preserved for agriculture and habitat; the LCP includes a Specific Plan and agricultural viability reporting requirement for this purpose. Although the approved lot line adjustment is clearly related to City CDP 00-28 for the high school, and must be understood in that larger context, it was approved separately and must be evaluated for LCP consistency on its own merits. The approved project does not include a Specific Plan, does not include an agricultural viability report, does not clearly identify the high school parcel(s), results in parcels that cannot accommodate development consistent with Area C standards, and does not permanently preserve and protect the remainder of Area C for agriculture and habitat (respectively).

Therefore, the Commission finds that a substantial issue exists with respect to this project's conformance with the certified City of Watsonville Local Coastal Program and takes jurisdiction over the coastal development permit for this project.

7. Coastal Development Permit Findings

By finding a substantial issue in terms of the project's conformance with the certified LCP, the Commission takes jurisdiction over the CDP for the proposed project. The standard of review for this CDP determination is the City LCP. The substantial issue findings above are incorporated herein by reference.

A. Modified Approvable Project

The fundamental LCP consistency problem with the City-approved project is that Area C habitat and



agricultural lands are not preserved and protected as part of the lot line adjustment. Even the LCP's Specific Plan and agricultural viability report requirements fall under this rubric inasmuch as the high school CDP and the permanent preservation protections on non-high school Area C lands would be the functional equivalent of these instruments (because all Area C lands would be accounted for as either permanently protected or allowed for a specific high school project). Understanding this broader context of the City's approved high school CDP and the intent of the LCP for Area C makes clear the areas required to be protected and the mechanisms to do so. Therefore, in order to achieve consistency with the previously cited LCP provisions, the following modifications are necessary to approve this lot line adjustment coastal development permit:

1. **Two Parcels (a high school parcel and a non-high school parcel).** It must be clear which are the school versus the non-school areas on Area C. This is necessary to know where the various LCP-required restrictions and permanent preservation areas must be applied. The fewer parcels that make up each area, the clearer the legal instruments and their application, the lower the possibility of their erroneous interpretation, and the lower the possibility of future development inconsistent with the LCP on Area C. Further, the stated purpose of the lot line adjustment on the CDP application to the City is to "create the New Millennium High School site." In addition, the creation of final parcels that conflict with required Area C performance standards as described above (e.g., 100% ESHA parcels) cannot ultimately be found consistent with the LCP. The most effective way to meet the purpose of the lot line adjustment consistent with the LCP is to provide for the parcel adjustment of the overall property. Thus, this permit ultimately results in the affected property being described by two parcels: a school parcel comprised of the land area represented by proposed parcels 1, 5, and 6; and a non-school parcel comprised of the land area represented by proposed parcels 2, 3, and 4.¹⁶ Furthermore, because the precise boundaries of the Hanson Slough riparian area are not identified on the proposed parcel map, and because this area should be included in the preservation area represented by the Non-High School parcel (as opposed to this area being a part of the high school expansion area where future development may be proposed), this approval also requires a delineation of the Hanson Slough riparian area. The Permittee shall be the property owner of any property area that is involved in this coastal development permit (expected to ultimately be the City and PVUSD per the above-described Conservancy exchange). See special conditions 1, 2, and 3, and exhibit K.¹⁷

2. **Habitat Conservation Easement.** Those areas of the non-school parcel designated for ESHA,

¹⁶ As envisioned by the previously described land exchange, these two parcels would be expected to be owned ultimately by PVUSD and the City respectively.

¹⁷ The Commission notes that the City currently owns the only other parcel present in Area C outside of those involved with this lot line adjustment (APN 018-281-15). APN 018-281-15 is delineated 100% ESHA by the LCP (occupied by the West Branch of Struve Slough) and City CDP 00-28 for the high school requires APN 018-281-15 to be permanently preserved as habitat as a condition of exercising the high school CDP. Thus, the net result of the Commission's approval here is that, ultimately after the Coastal Conservancy's land exchange is accomplished, the Commission expects that the City will own all lands on Area C outside of the high school parcel identified. One option at that point would be for the City to merge APN 018-281-15 with the non-high school parcel associated with this permit. However, because the City's high school CDP requires that ESHA protections be placed over APN 018-281-15, it makes little difference if such merger occurs at that time since, ultimately, the City-owned properties will all be protected for the preservation of habitat and agriculture as directed by the LCP and the City CDP 00-28. In other words, a habitat conservation easement similar to that required for this permit would likewise cover APN 018-281-15 per the City's high school CDP.



ESHA buffer, and agricultural buffer (by the LCP and by the City's high school CDP) on the non-school parcel (see exhibit K) must be permanently protected as directed by the LCP and envisioned by the high school CDP. Within these areas, only habitat restoration and management pursuant to an approved biological restoration plan is allowed per the LCP. No agricultural use is allowed in these ESHA and buffer areas. To the extent passive recreational opportunities are presented, and provided for in a CDP-approved restoration plan, such use may be allowed. These restrictions are specified in the easement language consistent with the intent of the LCP and the easement. See special condition 4.

3. **Habitat and Agriculture Conservation Easement.** Those areas of the non-school parcel designated for agriculture and/or habitat (by the LCP and by the City's high school CDP) on the non-school parcels (see exhibit K) must be permanently protected as directed by the LCP and envisioned by the high school CDP. Within these areas, only habitat restoration and management pursuant to an approved biological restoration plan or agricultural activities are allowed per the LCP. To the extent passive recreational opportunities are presented, and provided for in a CDP-approved restoration plan, such use may be allowed. Because agricultural activities are not defined by the City LCP, and because this term could be interpreted quite broadly (to allow residential or other development, for example), the easement language includes a definition of agricultural activities (i.e., as those that are directly related to the cultivation of agricultural products for sale, where agricultural products are limited to food and fiber in their raw unprocessed state, and ornamental plant material). These restrictions are specified in the easement language consistent with the intent of the LCP and the easement. See special condition 5.
4. **Development Rights Extinguished.** Per the LCP and the City's high school CDP, the Non-High School Parcel is to be permanently protected for habitat and agricultural preservation. In other words, the development potential for these lands is forever extinguished by the LCP to compensate for the intensity of development allowed for the high school. This approval includes a deed restriction acknowledging this lack of development potential for these lands designed to supplement and implement the above-described Conservation Easements. See special condition 6.
5. **Habitat, Agriculture, and School Use Deed Restriction.** The northern portion of the high school parcel (that area represented by proposed parcels 5 and 6) is an area envisioned by the school district as a potential expansion area (see exhibit K). PVUSD does not now propose any development in this area, and the City's high school CDP does not authorize any development in this area. The City's high school CDP requires this area to be deed restricted to allow only school expansion, agriculture, or open space uses as directed by the LCP. To preserve this area consistent with the LCP (for habitat and/or agriculture) unless and until the high school expands into this area (per a separate future CDP authorization), this high school expansion area must be deed restricted for the subset of uses allowed there by the LCP. Any and all development rights that may pertain to this expansion area are otherwise extinguished. See special condition 7.

As discussed, these required revisions to make the project consistent with the LCP and approvable by the Commission must be understood within the context of the City's high school CDP. The City's high



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school CDP will itself add another layer of protection for adjacent habitat and agriculture specifically to the high school parcel related to development thereon. Such protections include: a one-foot utility non-access easement surrounding the high school parcel; a conservation easement over the buffer areas along Harkins Slough Road (for both the CDFG reserve across the road and east of Lee Road, and the agricultural operations across the road and west of Lee Road); an agricultural buffer conservation easement at the north end of the high school; an agricultural hold harmless deed restriction; legal and physical access to the well water on the high school parcel (to be supplied to the non-high school parcel as necessary for continued agricultural production as applicable); and legal and physical access from Harkins Slough Road to the non-high school parcel. In addition, the City's high school CDP requires a biological restoration plan meant to apply to all Area C ESHA and ESHA buffer areas and meant to ensure their restoration/enhancement and long-term maintenance (including the bonding of funds to ensure long-term implementation of the plan).

Finally, Commission staff has met with the City, the Applicant (as represented by the school district), and Coastal Conservancy staff regarding the lot line adjustment and the conditioned approval represented by these findings and the conditions attached to them. All parties indicated that they were in agreement with the provisions of this approval and were confident in the final outcome for this site (i.e., following the Conservancy-funded land exchange).

B. Coastal Development Permit Conclusion

In order to achieve a project that can be found consistent with the LCP policies described in these findings, the proposed project must be modified to ensure that the resultant parcels are clearly identified for school versus non-school uses and so that the area not slated for school development by City CDP 00-28 is preserved for agriculture and habitat purposes as directed by the LCP. This can readily be accomplished by limiting the resultant parcels to two (a high school parcel and a non-high school parcel) and recording the LCP-required easements and restrictions on the Area C lands involved (see special conditions). When understood in tandem with the requirements of City CDP 00-28 for the New Millennium High School itself, the result will be to allow for a high school development on Area C and the extinguishing of development potential for the remainder of Area C not slated for high school development. This applies not only to the area within which parcel lines are being adjusted here, but also the City-owned parcel making up the remainder of Area C within which similar ESHA property restrictions must be applied pursuant to CDP 00-28.

By conditioning the proposed project in all of these ways, the Commission finds that the project can be found consistent with the certified City of Watsonville LCP.

B. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed



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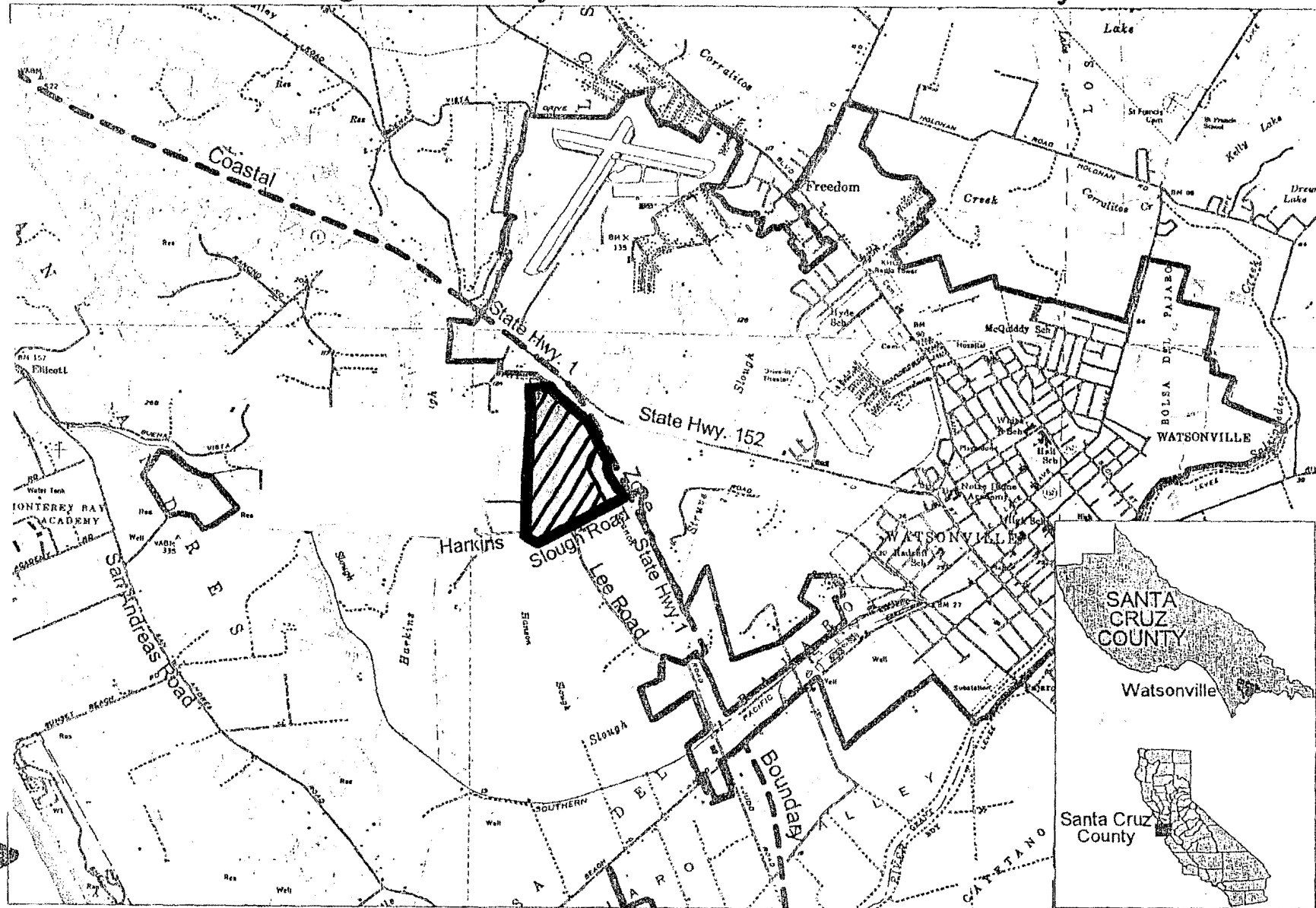
development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City found the project categorically exempt from CEQA. This City CEQA analysis and finding was the general basis for Appellant Reader's appeal allegations (see exhibit C for City's findings and the "Appellants' Contentions" section of this report preceding).

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. This report has discussed the relevant coastal resource issues with the proposal, and has developed appropriate mitigating modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date on the proposed lot line adjustment have been addressed in the findings above. All above Coastal Act findings are incorporated herein in their entirety by reference. As such, there are no additional feasible alternatives nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the proposed project, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).



Figure 2: City of Watsonville and Vicinity



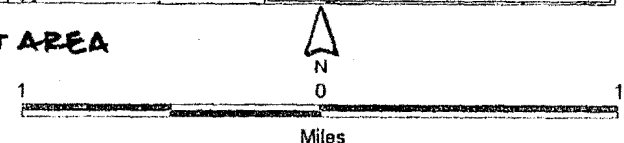
- NOTE -

Locations approximate. For illustrative purposes only.

 LOT LINE ADJUSTMENT AREA

 Project Area C

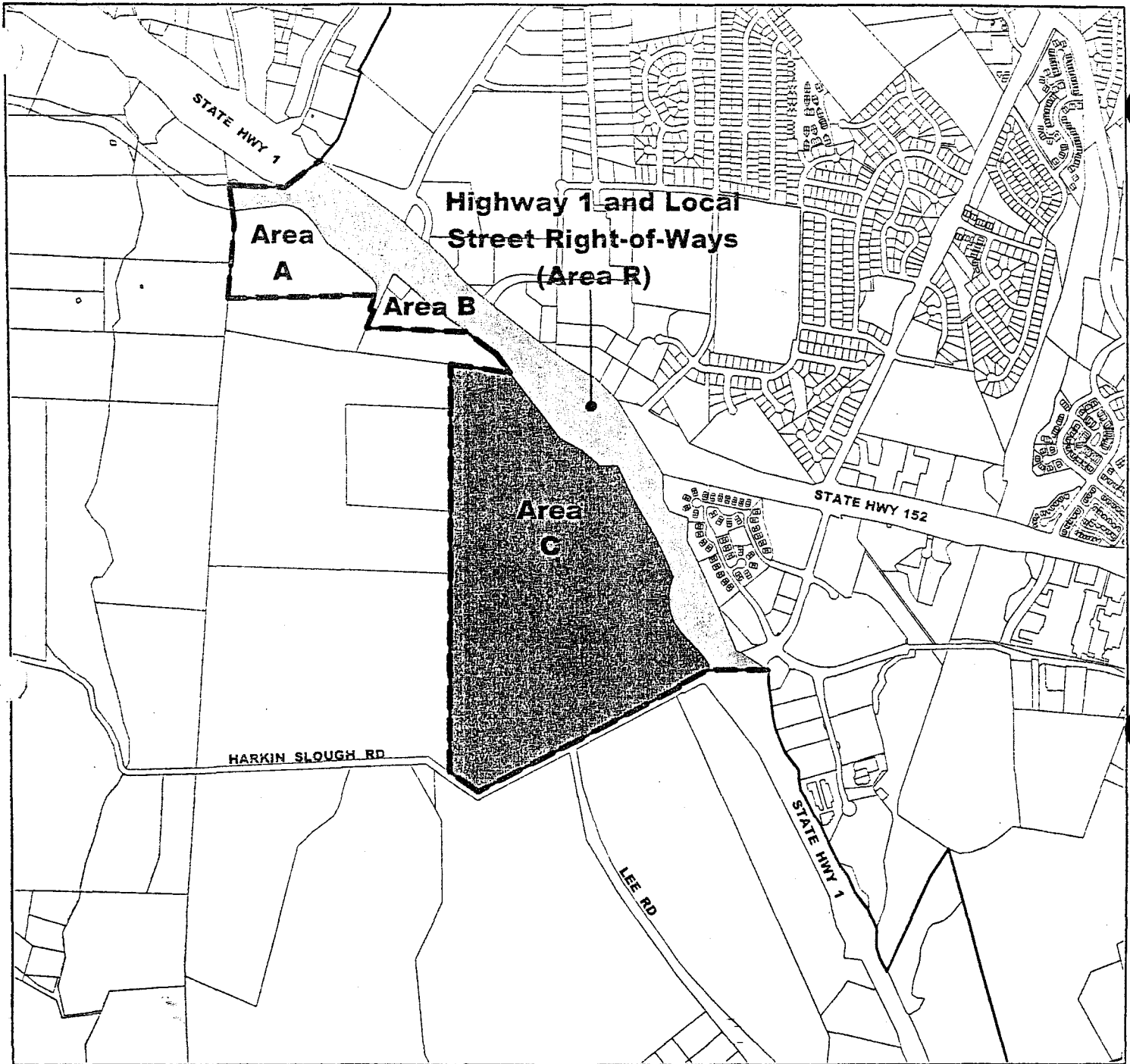
 City of Watsonville








Source: USGS 7.5 minute Quadrangle Series.

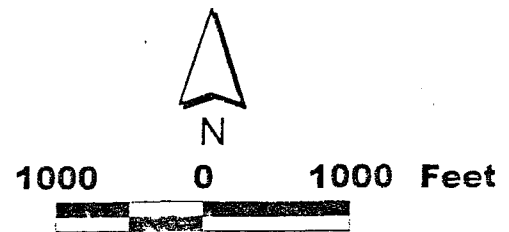
GMB, 2/00

Figure 1A: COASTAL ZONE AREA R - UTILITY PROHIBITION DISTRICT



Legend

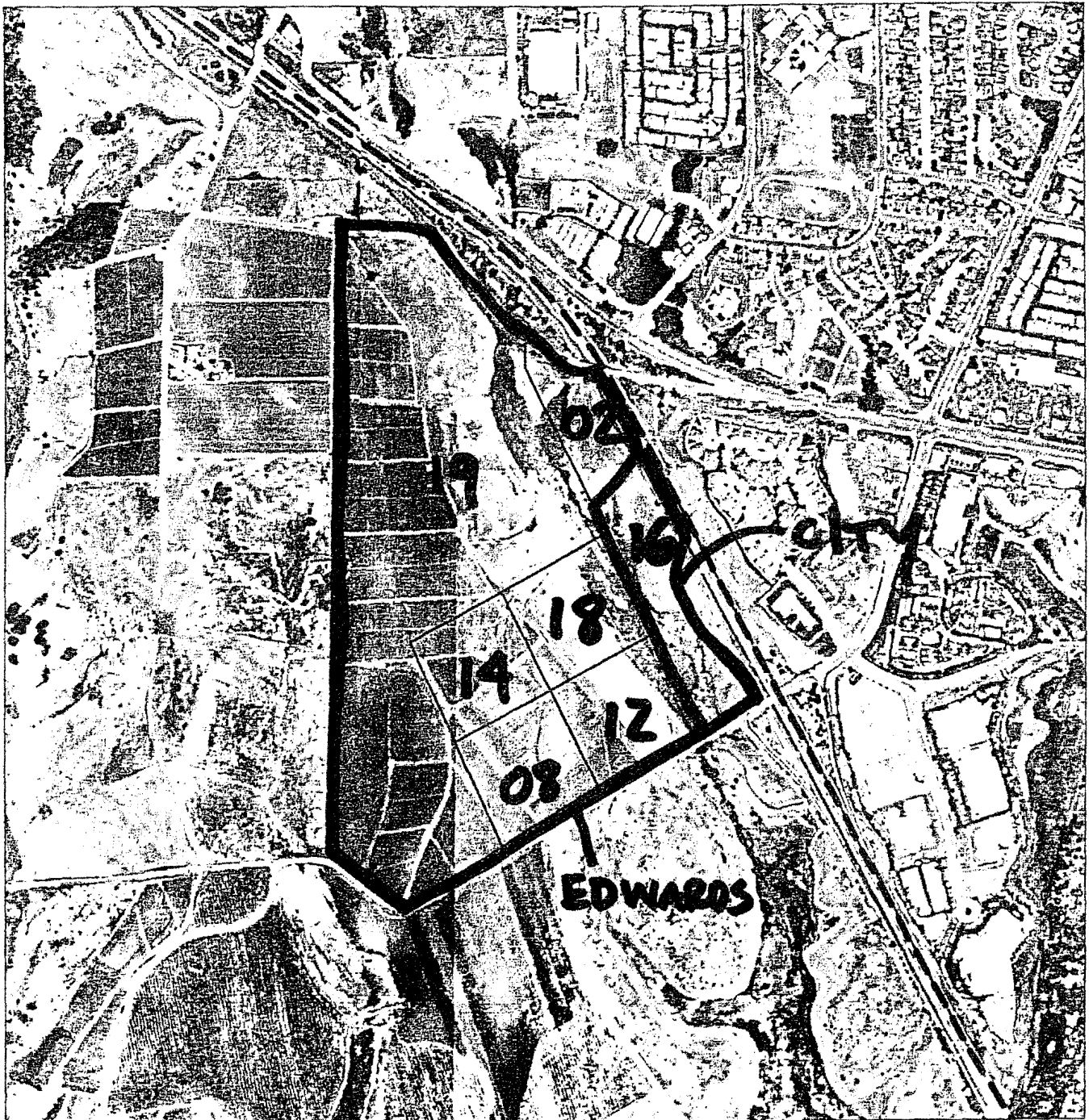
-  *Special Study Area*
-  *Highway 1 and Local Street Right-of-Ways (Area R)*
-  *Utility Prohibition Overlay District*
-  *City Limit*
-  *Parcels*



This Document is a graphic representation only of the best available sources.
The City of Watsonville assumes no responsibility for any errors.

Photo Source: 1993 USGS ORTHOPHOTO

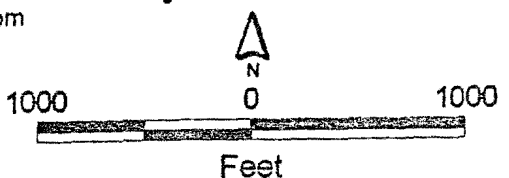
Figure 4: Area C Parcels




— Area C
 --- Coastal Zone Boundary

All Assessors Parcel Numbers are from
 book 018, page 281

Ownership:
 City of Watsonville- #2, #15
 Edwards- #8, #12, #14, #18, #19
 Photo Source: Air Flight Service.
 6/22/1994.

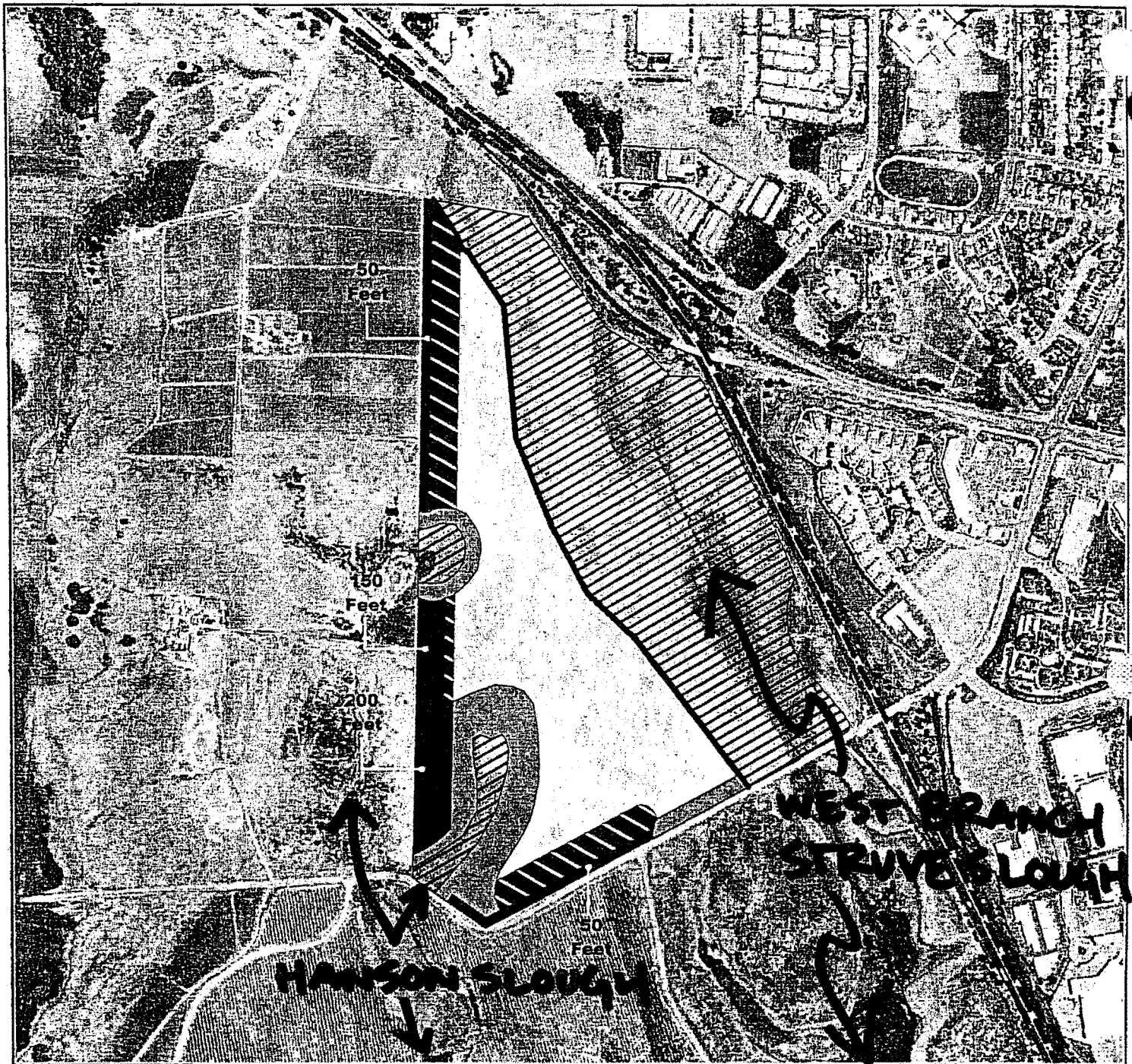









- NOTE -
 Locations approximate.
 For illustrative purposes only.

 Technical Services Division
 California Coastal Commission

GMB, JVC 2/00

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS



-  Agricultural Setback
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary



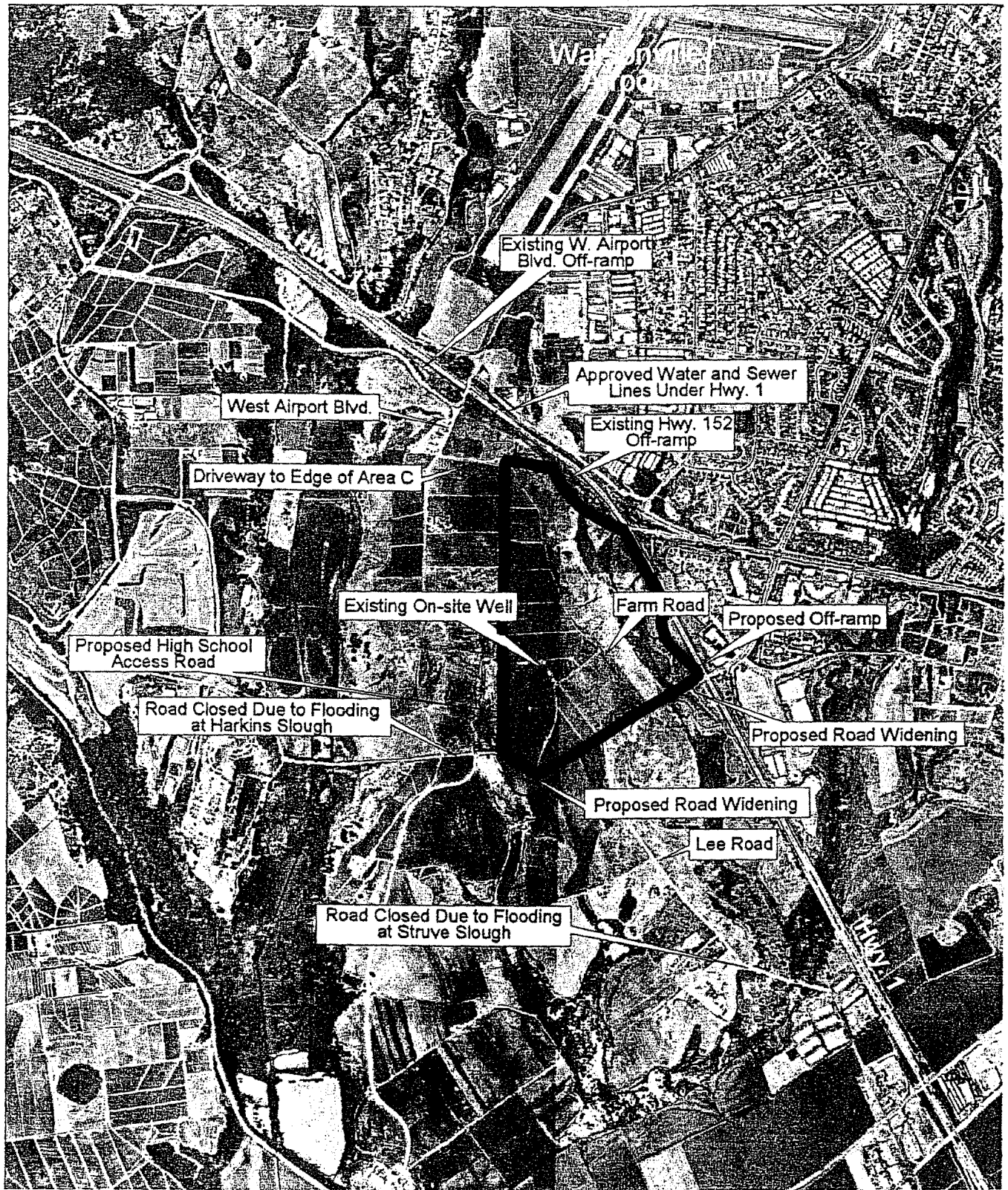
500 0 500 Feet

*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

This Document is a graphic representation only of the best available sources. The City of Watsonville assumes no responsibility for any errors.

Photo Source: 1993 USGS ORTHOPHOTO

Figure 10: Selected Public Services in Vicinity of Area C



- NOTE -
Locations approximate.
For illustrative purposes only.



Technical Services Division
California Coastal Commission

— Area C

Data Source: Watsonville LCP Major
Amendment 1-99 Administrative Record.
Photo Source: Air Flight Service. 6/22/1994.

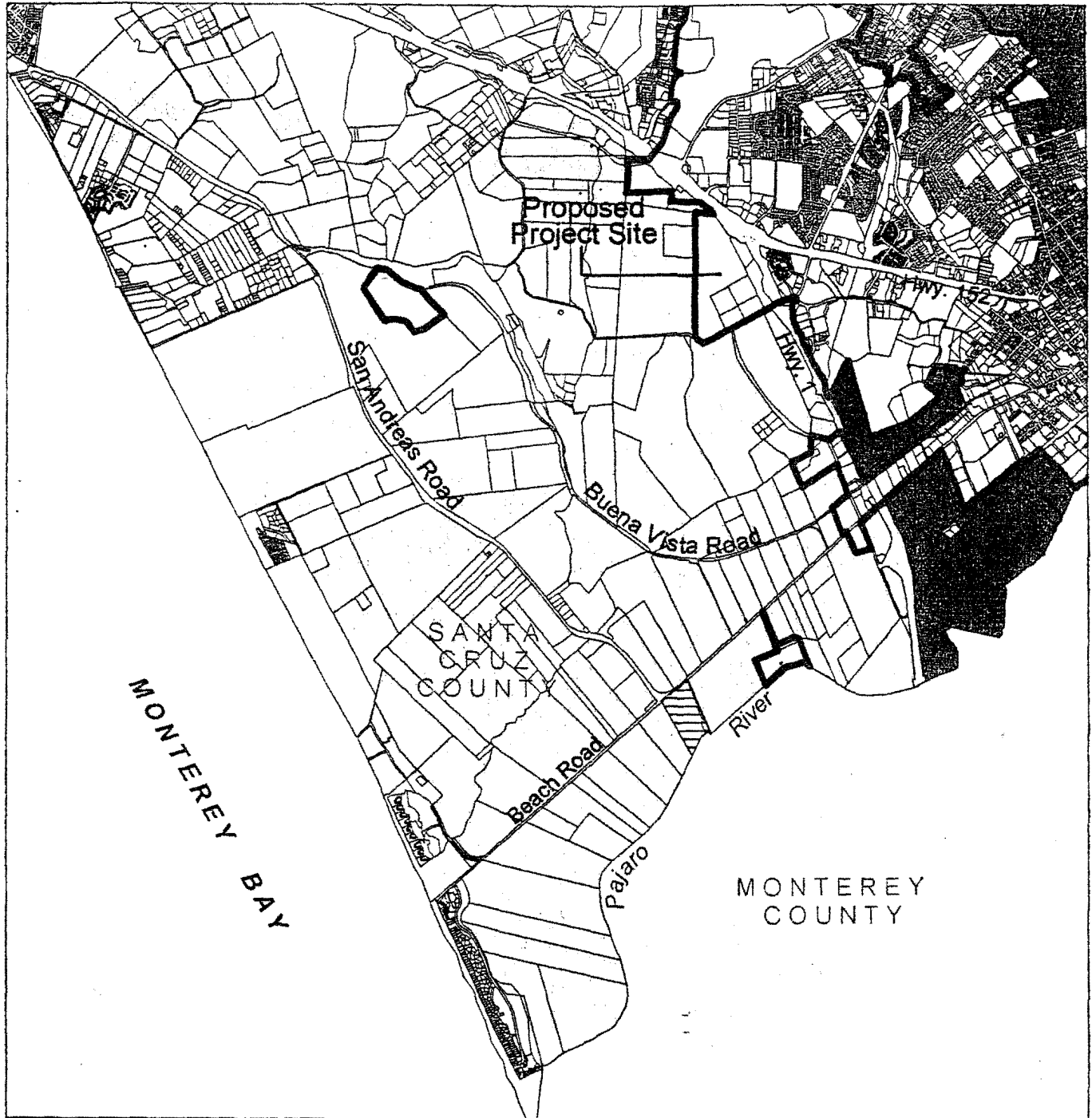


0.25 0 0.25

Miles

GMB, RH 2/00







Figure 11: County Agricultural Lands in Vicinity of Area C

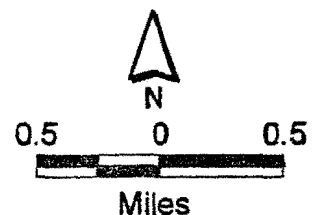


- NOTE -

The information depicted on this map is subject to revision. Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

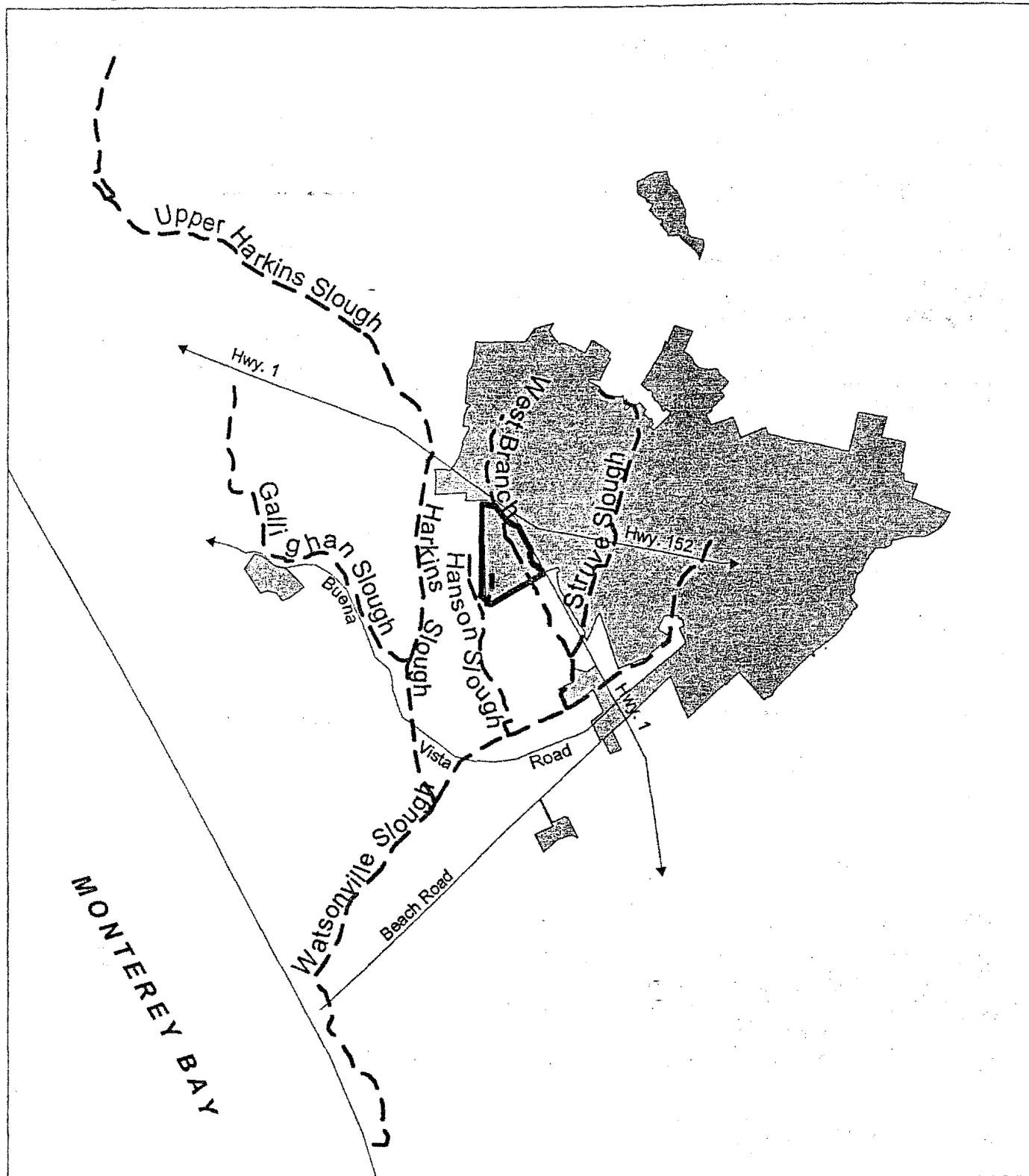
-  Viable Agricultural Land in Coastal Zone
-  Viable Agricultural Land
-  Agricultural Preservation Zone
-  Limited Agricultural Land-Geographically Isolated
-  City of Watsonville
-  Parcels



Miles
Data Source: Santa Cruz County Planning Department, 2000 County LCP and General Plan Agricultural Land Classifications. (City Agricultural Land not shown).

GMB, 2/00

Figure 12: Main Branches of Watsonville Slough



- NOTE -

Locations approximate.
For illustrative purposes only.



Technical Services Division
California Coastal Commission

--- Slough System

— Area C



City of Watsonville



1

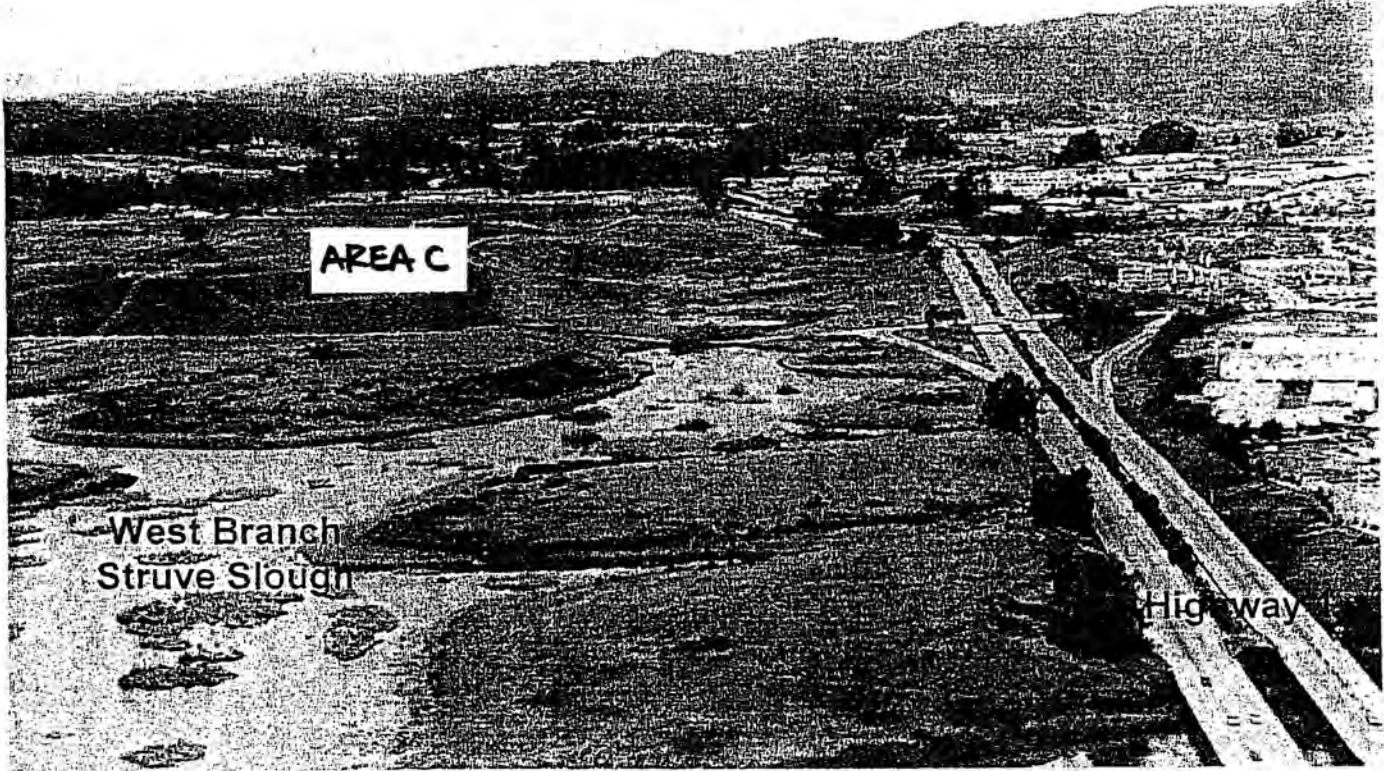
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Miles

Data Source: WATER Project.
California Coastal Commission. 12/97.

GMB, 2/00

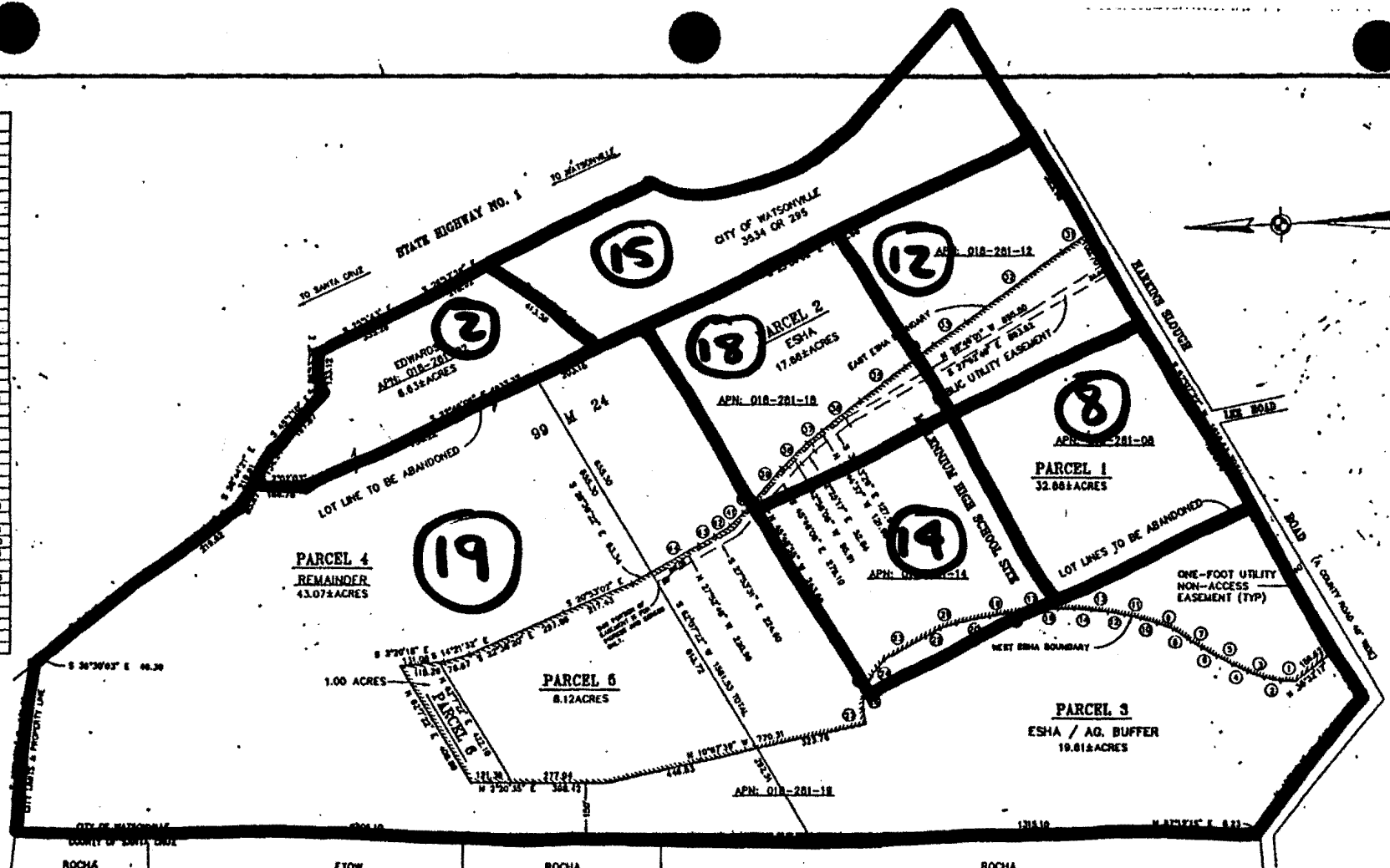


View of Area C Site Looking North



8 of 8

NO.	COURSE
1	N 72° 37' 30" E 48.73
2	N 13° 40' 00" E 48.14
3	N 81° 20' 00" E 48.73
4	N 13° 40' 00" E 48.14
5	N 30° 15' 30" E 50.18
6	N 31° 12' 00" E 48.83
7	N 33° 00' 00" E 50.18
8	N 34° 17' 30" E 48.83
9	N 71° 57' 30" E 50.77
10	N 30° 07' 30" E 50.00
11	N 19° 00' 00" E 49.20
12	N 17° 10' 30" E 48.38
13	N 17° 10' 30" E 48.38
14	N 0° 07' 00" E 48.73
15	N 2° 11' 00" E 50.05
16	N 0° 26' 00" E 48.89
17	N 3° 46' 00" E 50.01
18	N 1° 30' 30" E 50.07
19	N 7° 14' 00" E 48.73
20	N 8° 31' 30" E 100.73
21	N 18° 23' 30" E 48.95
22	N 27° 00' 00" E 48.90
23	N 27° 00' 30" E 140.23
24	N 48° 21' 30" E 54.11
25	N 84° 34' 00" E 52.11
26	N 84° 34' 00" E 52.11
27	S 83° 02' 30" E 45.78
28	S 84° 47' 00" E 50.05
29	S 83° 02' 30" E 45.78
30	N 31° 08' 45" E 87.41
31	N 34° 10' 00" E 350.80
32	N 33° 20' 00" E 116.71
33	N 35° 49' 00" E 106.53
34	N 34° 37' 30" E 163.60
35	N 36° 24' 30" E 141.73
36	N 36° 30' 00" E 56.19
37	N 43° 44' 30" E 103.83
38	N 46° 00' 00" E 114.50
39	N 46° 25' 30" E 53.22
40	N 46° 15' 30" E 54.41
41	N 30° 01' 00" E 54.78
42	N 28° 24' 00" E 53.80
43	N 37° 00' 10" E 181.80



NOTES:

APPLICANT: PAJARO VALLEY UNIFIED SCHOOL DISTRICT
 c/o TERRY MCHEENRY, ASSOC. SUPERINTENDENT
 284 GREEN VALLEY ROAD
 WATSONVILLE, CA 95076
 PHONE: (831) 728-6200-EXT.203

OWNER: RALPH & KATHLEEN EDWARDS
 5021 COAST ROAD
 SANTA CRUZ, CA 95060

EXISTING AREAS:
 APN: 018-281-08 9.98± ACRES
 APN: 018-281-12 9.98± ACRES
 APN: 018-281-14 9.98± ACRES
 APN: 018-281-18 9.98± ACRES
 APN: 018-281-19 76.02± ACRES
 APN: 018-281-03 8.52± ACRES
 TOTAL AREA 122.57± ACRES

PROPOSED AREAS:
 PARCEL 1 32.88± ACRES
 PARCEL 2 17.88± ACRES
 PARCEL 3 19.81± ACRES
 PARCEL 4 43.07± ACRES
 PARCEL 5 8.12± ACRES
 PARCEL 6 8.12± ACRES
 TOTAL AREA 122.57± ACRES

THE BOUNDARY FOR THIS ADJUSTMENT IS SHOWN ON THE MAP RECORDED IN VOLUME 99 OF MAPS, AT PAGE 24, SANTA CRUZ COUNTY

THIS MAP DOES NOT CREATE ANY NEW OR NON-CONFORMING PARCELS; IT DEPICTS THE PROPOSED BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 018-281-08, 018-281-12, 018-281-14, 018-281-18 AND 018-281-19 SUBJECT TO THE RECORDING OF DEEDS.

	NEW MILLENNIUM HIGH SCHOOL PAJARO VALLEY UNIFIED SCHOOL DISTRICT CITY OF WATSONVILLE SANTA CRUZ COUNTY CALIFORNIA		
	MAP 1"=200' DATE NOV. 21, 2001 DEC. 5, 2001 01189	APN: 018-281-18, 02,14,18,12,08 MID COAST ENGINEERS CIVIL ENGINEERS AND LAND SURVEYORS 70 PERRY LA. SUITE A, WATSONVILLE, CA 95076 (408) 728-2600	
	PROPOSED LOT LINE ADJUSTMENT		
	1 OF 1		

EXISTING PARCELS AREA C

APNS 018-281-

(NOTE: RALPH & KATHLEEN EDWARDS OWN ALL PARCELS EXCEPT #15 (OWNED BY CITY OF WATSONVILLE))

RECEIVED

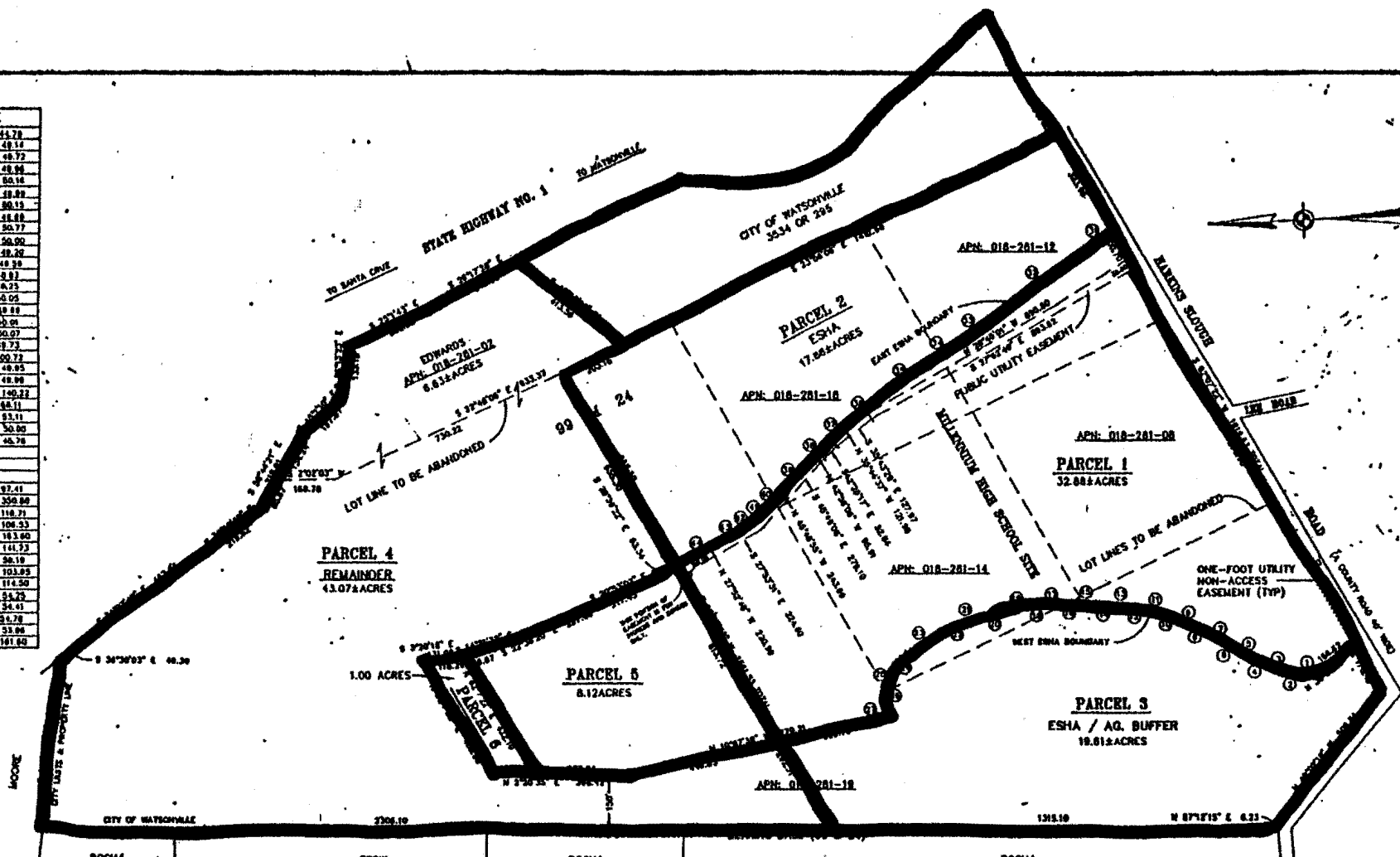
DEC 05 2001

Attachment/Exhibit to:

Resolution No. 302-01 (CM)

CCC Exhibit B
 page 1 of 7 pages

NO.	COURSE
1	N 17°13'37" W 44.78
2	N 17°49'03" E 48.14
3	N 15°10'53" E 48.72
4	N 18°28'21" E 48.86
5	N 30°23'15" E 50.16
6	N 12°14'58" E 48.82
7	N 35°06'00" E 50.15
8	N 38°17'24" E 48.88
9	N 21°23'56" E 50.77
10	N 30°07'23" E 50.00
11	N 18°06'54" E 48.28
12	N 12°23'54" E 48.82
13	N 6°27'21" E 48.82
14	N 4°07'04" E 48.23
15	N 2°31'02" E 50.05
16	N 0°16'01" W 48.88
17	N 3°46'03" W 50.01
18	N 1°30'34" W 50.07
19	N 7°14'00" W 48.73
20	N 25°51'51" W 100.73
21	N 16°27'23" W 48.85
22	N 27°00'18" W 48.86
23	N 37°30'36" W 140.22
24	N 48°21'31" W 58.11
25	N 64°40'01" W 53.11
26	N 84°41'00" W 50.80
27	S 83°02'32" W 48.78
28	S 34°30'43" E 48.41
29	N 34°10'42" W 50.88
30	N 33°27'31" W 116.71
31	N 33°45'41" W 106.53
32	N 34°57'23" W 163.60
33	N 36°54'29" W 141.52
34	N 38°30'00" W 56.18
35	N 49°44'00" W 103.85
36	N 46°06'00" W 114.50
37	N 46°26'30" W 54.25
38	N 40°13'36" W 54.41
39	N 50°11'00" W 54.78
40	N 28°38'00" W 53.86
41	N 27°00'18" W 161.60



NOTES:

APPLICANT: PAJARO VALLEY UNIFIED SCHOOL DISTRICT
c/o TERRY McHEARY, ASSOC. SUPERINTENDENT
294 GREEN VALLEY ROAD
WATSONVILLE, CA 95078
PHONE: (831) 726-6200-EXT.203

OWNER: RALPH & KATHLEEN EDWARDS
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SANTA CRUZ, CA 95060

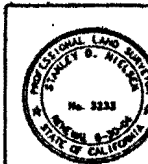
EXISTING AREAS:
APN: 018-281-08 9.88±ACRES
APN: 018-281-12 9.88±ACRES
APN: 018-281-14 9.88±ACRES
APN: 018-281-18 9.88±ACRES
APN: 018-281-19 76.02±ACRES
APN: 018-281-02 8.53±ACRES
TOTAL AREA 122.57±ACRES

PROPOSED AREAS:

PARCEL 1 32.88±ACRES
PARCEL 2 17.88±ACRES
PARCEL 3 18.81±ACRES
PARCEL 4 43.07±ACRES
PARCEL 5 8.12±ACRES
TOTAL AREA 122.57±ACRES

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NEW MILLENNIUM HIGH SCHOOL PAJARO VALLEY UNIFIED SCHOOL DISTRICT CITY OF WATSONVILLE SANTA CRUZ COUNTY CALIFORNIA	
DATE: 11-2007	APN: 018-281-18, 02,14,18,12,08
SCALE: 1"=200'	
BY: SON	
DATE: NOV. 21, 2001	
DATE: DEC. 5, 2001	
DATE: 01188	
MID COAST ENGINEERS CIVIL ENGINEERS AND LAND SURVEYORS 70 PENNY LN. SUITE A, WATSONVILLE, CA 95070 (408) 726-3580	
PROPOSED LOT LINE ADJUSTMENT	
1 OF 1	

PROPOSED PARCELS AREA C

RECEIVED

DEC 05 2001

Attachment/Exhibit to:

Resolution No. 302-01 (CM)

Page 2 of 2 pages

FILE COPY

MEMORANDUM

CITY COUNCIL # 6.4(a)

Endorsed for presentation
to the City Council


City Manager

Date: November 30, 2001

To: Carlos J. Palacios, City Manager

From: *JTD* Minor land Division Committee
John T. Doughty, Community Development Director

Subject: PARCEL LINE ADJUSTMENT AND COASTAL DEVELOPMENT PERMIT (01-103)
TO ADJUST SIX PARCELS WITHIN PROPERTY IDENTIFIED AS COASTAL
ZONE AREA C (CZ-C) ASSESSOR'S PARCEL NUMBERS 018-281-02, 018-281-
08, 018-281-12, 018-281-14, 018-281-18 AND 018-281-19.

Agenda Item: December 11, 2001

City Council

RECOMMENDATION

Staff recommends that the City Council approve the parcel line adjustment and coastal development permit (Application No. 01-103) to adjust parcels within a portion of property identified by the City's local coastal program as Coastal Zone Area C (CZ-C), Assessor's Parcel Numbers 018-281-02, 018-281-08, 018-281-12, 018-281-14, 018-281-18 AND 018-281-19 in anticipation of development of the Pajaro Valley Unified School District (PVUSD) third high school and conveyance of property to the California Coastal Conservancy.

BASIC PROJECT DATA

APPLICATION NO.: 01-103

APNs(S): 018-281-02, 018-281-08, 018-281-12,
018-281-14, 018-281-18 AND 018-281-19.

LOCATION: Portion of Coastal Zone Area C, generally located north of Harkins Slough
Road and west of Highway 1

SCOPE OF PROJECT: Parcel line adjustment to facilitate the conveyance of the remainder of CZ-C
to the Coastal Conservancy per Coastal Development Permit ().

GENERAL PLAN: Coastal Zone

ZONING: CZ-C

EXISTING LAND USE: Vacant/fallow, strawberries and ESHA

PROPOSED LAND USE: No change directly associated with this action.

PROPERTY APPLICANT: PVUSD, 294 Green Valley Road, Watsonville, CA

PROPERTY OWNER: PVUSD and Ralph and Kathleen Edwards, 5021 Coast Road, Santa Cruz,
CA

ACTION(S)/APPROVAL(S) BEING SOUGHT: Parcel Line Adjustment.

CCC Exhibit C
(page 1 of 21 pages) 1

CEQA STATUS: According to Section 15305 of the California Environmental Quality Act, minor boundary adjustments are Categorically Exempt from environmental analysis provided certain criteria are met. This project meets all of the criteria with no exceptions being required.

BACKGROUND/DISCUSSION

Proposal: The applicant proposes to reconfigure (adjust) six existing parcels totaling 122.57 acres generally located north of Harkins Slough Road and west of Highway 1. The adjustment would retain a total of six parcels, reconfigured to reflect PVUSD agreements with the California Coastal Conservancy, Ralph and Kathleen Edwards and in conformance with the approved high school coastal development permit (CDP 00-28).

Procedure: Section 30106 of the California Coastal Act (as further refined by California Case Law), defines a parcel line adjustment as a "development" and subject to issuance of a coastal development permit. Watsonville Municipal Code (WMC) Section 9-5.303 designates the City Council as the review authority for coastal development permits. While Section 13-10.09 of the City's Subdivision Ordinance requires that boundary adjustments be submitted for review and approval by the Minor Land Division (MLD) Committee prior to recordation, Section 13-10.11 provides discretion to the MLD to refer matters to the City Council. Given the coastal zone implications, staff has forwarded the application to the City Council. The City Council is to conduct a public hearing after which a resolution containing required findings and conditions necessary to assure compliance with the Municipal Code is recommended to be adopted.

Zoning, General Plan: The project site is designated on the General Plan Land Use Map as Coastal Zone. The parcels are all zoned as Coastal Zone Area C (CZ-C). Based on staff's review of the proposal, it has been determined that the project is consistent with the General Plan and Zoning Ordinance.

Lot Sizes, Density: According to the performance standards for CZ-C (WMC Section 9-5.705 (c)), parcels are required to have a minimum area of one acre. Proposed parcels sizes range from 1.00 acres to 42.19 acres.

Discussion: Pursuant to the City of Watsonville Local Coastal Program (LCP) and Local Coastal Implementation Plan (LCIP) and the conditions of approval for Coastal Development permit (00-28), PVUSD is required to ensure the preservation of the remainder portions of CZ-C as permanently restricted agriculture/open space. The parcel line adjustment has been submitted to facilitate the conveyance of the remainder portions of the Edwards portion of CZ-C less those areas (approximately 10 acres) identified by the California Coastal Zone as part of the PVUSD development envelope. Acquisition and conveyance of the remainder area has been a complex process given funding limits, appraisal processes, eminent domain proceedings and identifying/negotiating agreements with a public conservation entity.

The application addresses six existing parcels previously identified and retains a total of six parcels in compliance with State Subdivision Map Act requirements. The proposal includes reconfiguration of the six parcels as: Parcel 1 (Millennium High School Site-32.88 acres); Parcel 2 (Struve Slough ESHA-17.88 acres); Parcel 3 (Hanson Slough ESHA and Agriculture Buffer-18.91 acres); Parcel 4 (Remainder Parcel-42.19 acres); Parcel 5 (Edwards School Site Donation-8.12 acres); and Parcel 6 (Area to Be Exchanged-1.00 acres). The configuration is consistent with the PVUSD coastal development permit, as clarified and with the discussions and agreements made with the Edwards family

CCC Exhibit C

(page 2 of 21 pages) 2

and the California Coastal Conservancy.

STRATEGIC PLAN

The proposed boundary adjustment is the next step required to move the High School project forward by modifying existing lot configurations to separate the school site from the Environmentally Sensitive Habitat Areas. This project clearly supports Goal # IV of the strategic plan by continuing to support the high school project which will support our youth.

FINANCIAL IMPACT

The proposed Coastal permit for a Boundary Adjustment will have no financial impact on the City.

ACTION

Public Hearing - Accept public testimony.

Environmental Review - Categorical Exemption 15305

Boundary Adjustment - Motion to adopt a resolution approving the parcel line adjustment.

ATTACHMENTS

None.

cc: City Attorney

RESOLUTION NO. 302-01 (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE GRANTING CONDITIONAL COASTAL DEVELOPMENT PERMIT NO. 01-103 FILED BY THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT TO MODIFY THE BOUNDARY LINES OF SIX (6) EXISTING PARCELS TO SEPARATE THE HIGH SCHOOL PROJECT SITE FROM THE ENVIRONMENTALLY SENSITIVE HABITAT AREAS GENERALLY LOCATED NORTH OF HARKINS SLOUGH ROAD, WEST OF HIGHWAY 1, WATSONVILLE, CALIFORNIA

CERTIFICATION
SS
STATE OF CALIFORNIA
COUNTY OF SANTA CRUZ
I, LORRAINE WASHINGTON, CITY CLERK OF THE CITY OF WATSONVILLE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE ATTACHED RESOLUTION NO. 302-01 IS A TRUE AND CORRECT COPY OF THE ORIGINAL OF SAID RESOLUTION AS IT APPEARS UPON THE OFFICIAL RECORDS OF SAID CITY OF WATSONVILLE.
DATED: 12/17/01
Lorraine Washington
CITY CLERK OF THE CITY OF WATSONVILLE

[Assessor's Parcel Numbers: 18-281-02, 08, 12, 14, 18 & 19]

WHEREAS, the Pajaro Valley Unified School District ("PVUSD") has applied for Coastal Development Permit No. 01-103 to modify the boundary lines of six (6) existing parcels to separate the high school project site from the environmentally sensitive habitat areas generally located north of Harkins Slough Road, west of Highway 1, Watsonville, California ("the Project"); and

WHEREAS, the PVUSD considered the environmental effects of the Project in a public hearing on May 23, 2001, and after due deliberation certified the "Certified Final Supplemental Environmental Impact Report for the New Millennium High School Project" by Resolution No. 20-01-36; and

WHEREAS, a Categorical Exemption has been processed for the boundary adjustment pursuant to Section 15305 of the CEQA guidelines that allow minor lot line adjustments that do not result in changes to approved land uses; and

WHEREAS, the Council on June 26, 2001, conducted a public hearing to consider the application of the PVUSD for the construction of a 2200 student high school (Permit

CCC Exhibit C
(page 4 of 21 pages)

No. 00-28), which was approved by a unanimous vote, subject to findings and specific conditions of Resolution No.171-01 (CM); and

WHEREAS, on appeal, the California Coastal Commission (CCC) found that the appeals to Permit No. 00-28 had no substantial issues and approved the project by a unanimous vote subject to clarifications identified within the CCC staff report of October 10, 2001; and

WHEREAS, the Project has been sensitively redesigned to address the major concerns identified in the *Watsonville 2005 Local Coastal Program* and is consistent with the policy direction given by the California Coastal Commission; and

WHEREAS, on August 22, 2000, the Council approved amendments to the *Watsonville 2005 Local Coastal Program* (incorporating both a Land Use Plan and Local Coastal Implementation Plan), by Resolution No. 245-00 (CM) (as to the Land Use Plan) and Ordinance No. 1096-00 (CM) (as to the Local Coastal Implementation Plan) which were subsequently certified by the California Coastal Commission as of October 12, 2000; and

WHEREAS, the Land Use Plan and Local Coastal Implementation Plan were further amended by Resolution 170-01(CM), dated June 26, 2001, (as to the Land Use Plan) and Ordinance No. 1112-01 (CM), dated July 10, 2001, (as to the Local Coastal Implementation Plan), which were subsequently accepted by the California Coastal Commission with minor modifications on November 14, 2001; and

WHEREAS, notice of time and place of hearing for Conditional Coastal Development Permit No. 01-103 was given at the time and in the manner prescribed by the Subdivision Ordinance, and the Local Coastal Zone Implementation Plan of the City

CCC Exhibit 2
(page 5 of 21 pages)

of Watsonville. The matter was called for hearing; evidence both oral and documentary was introduced, was received and the matter was submitted for decision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

After considering all the documentary records and oral testimony and related records presented in support of and in opposition to the Project, good cause appearing therefore, based upon the detailed Findings, attached hereto and incorporated by this reference and marked Exhibit "A," and subject to the detailed Conditions attached hereto and incorporated by this reference and marked Exhibit "B," and the attached map and incorporated herein as Exhibit "C," the Council of the City of Watsonville does hereby grant Coastal Development Permit No. 01-103 to modify the boundary lines of the six (6) existing Assessor's Parcel Numbers: 18-281-02, 08, 12, 14, 18, and 19 to separate the high school project site from the environmentally sensitive habitat areas on land generally located north of Harkins Slough Road, west of Highway 1, Watsonville, California.

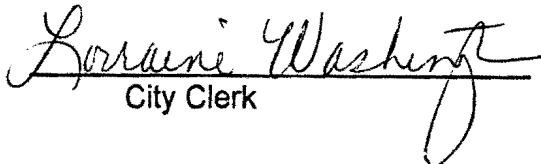
CCC Exhibit C
(page 6 of 21 pages)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 11th day of December, 2001, by Council Member Carter, who moved its adoption, which motion being duly seconded by Council Member Gomez, was upon roll call carried and the resolution adopted by the following vote:

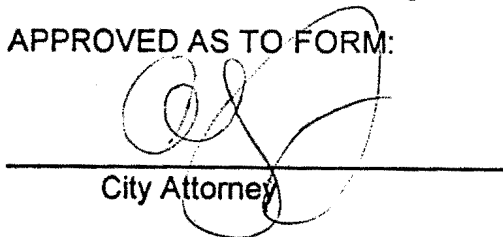
AYES:	COUNCIL MEMBERS:	Carter, Doering-Nielsen, Gomez, Phares, de la Paz, Bobeda
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	Lopez
ABSTAIN:	COUNCIL MEMBERS:	Doering-Nielsen


Betty Bobeda, Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

CCC Exhibit C
(page 7 of 71 pages)

**CITY OF WATSONVILLE
CITY COUNCIL**

Application No: 01-103

APNs: 018-281-02, 08, 12, 14 18 & 19

**Applicant: Parajo Valley Unified School
District**

Hearing Date: December 11, 2001

**REQUIRED ORDINANCE FINDINGS FOR APPROVAL--SECTION 13-8.108(d)
SUPPORTIVE EVIDENCE**

That the proposed subdivision, together with the provisions for its design & improvement, is consistent with the Watsonville General Plan and any specific plans.	The proposed parcel adjustment has been reviewed and found consistent with the General Plan, LCP and LCIP.
The proposal is consistent with the Zoning Ordinance and any other master plan or precise development plan adopted pursuant thereto.	The project site is CZ-C (Coastal Zone Area C). The proposed project is consistent with the LCP and LCIP.
The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.	The parcel line adjustment does not affect future opportunities for passive or natural heating & cooling.
OTHER FINDINGS: That the site is physically suitable for the type of development.	Based on the approval of Coastal Development Permit (00-28), the associated conditions of approval and the commitments of the Coastal Conservancy and Edwards family, the site is physically suitable for development, enhancement, restoration and conservation, as proposed.
That the site is physically suitable for the proposed density of the development.	PVUSD third high school is proposed for Parcel 1. This parcel is consistent with the plans and site configurations as contained in the approval. Parcels 2, 3 and 4 are intended to be conveyed for open space/agriculture conservation with no development while Parcels 5 and 6 are being proposed for potential future non-classroom school expansion. All parcels are subject to the LCIP performance standards including impervious coverage.
That the design of the proposed improvements is not likely to cause substantial environmental damage, or substantially & unavoidably injure fish or wildlife or their habitat.	The parcel adjustment will not have any direct impact. Development of the school and related activities have been evaluated under CEQA. Furthermore, review of pertinent agencies is required relative to the development and environmental mitigations to ensure protection.
That the design of the type of improvements is not likely to cause serious public health problems.	No public health problems are anticipated.
That the design of the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within the proposed subdivision.	The parcel line adjustment will not conflict with any existing public easements.
That the improvement will not create a need for public services which the City is not capable of providing.	The City is currently capable of providing public services for the parcels in a manner consistent with the LCIP and conditions of approval..

Attachment/Exhibit to:

Resolution No. 302-01 (CM)

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EXHIBIT A
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It is not anticipated that the discharge of waste from the existing parcels will result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.	The parcel line adjustment will not increase or effect discharge. Development of the school and related activities have been and will continue to be evaluated to ensure consistency with the Coastal Act and other pertinent requirements.
That the proposed project meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.	The parcel adjustment has been prepared in conformance with the Subdivision Ordinance and the Subdivision Map Act.
That pursuant to Article 7 of the Watsonville Municipal Code, provision has been made for payment of fees or some other provision has been agreed upon by applicant in the school district to mitigate conditions of overcrowding within that attendance area.	Fees have been paid by the applicant.
That the facilities to be constructed, purchased, leased, or rented from such fees are consistent with the General Plan.	The ultimate development of the site will be required to be consistent with the General Plan, LCP and LCIP. The high school project has been determined to be consistent.

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(page 9 of 21 pages)

EXHIBIT A
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Attachment/Exhibit to:
Resolution No. 302-01 (CM)

**CITY OF WATSONVILLE
CITY COUNCIL**

Application No. 01-103
APNs: 018-218-02, 08, 12, 14, 18 & 19
Applicant: Pajaro Valley Unified School District
Hearing Date: December 11, 2001

COASTAL DEVELOPMENT PERMIT FINDINGS 01-103

The following findings apply to Parcel Line Adjustment 01-103 for property owned by the Pajaro Valley Unified School District and Ralph and Kathleen Edwards. For the purposes of these findings, the term for these improvements shall be "the project." For the purpose of these findings, the term "applicant" shall also mean the Pajaro Valley Unified School District (PVUSD) or the owner or any successor(s) in interest to the terms of this approval.

1. The proposed project is consistent with the *Watsonville 2005: General Plan*, Local Coastal Program (LCP) which includes the Local Coastal Land Use Plan (LUP), and Local Coastal Implementation Program (IP).

Supportive Evidence:

The California Coastal Commission (CCC) certified the City's Major LCP amendment #1-99 including Resolution 245-00 and Ordinance 1096-00 on October 14, 2000, which were developed to update the City's LCP and support the development of a high school on Parcel CZ-C. The City pursued these amendments due to the dire need for additional high school facilities to relieve the significant overcrowding of Watsonville and Aptos High Schools. The plan for the high school, including the parcel line adjustment, has been developed to address the many issues and restrictions established by the LUP and associated IP. The City finds that the parcel line adjustment is consistent with the City's General Plan, LUP and associated LCIP. On October 10, 2001, the California Coastal Commission made a finding of no substantial issue regarding appeals of Coastal Development Permit (CDP) 00-28 (high school). The parcel line adjustment serves to allow for conveyance of the remainder of the property in conformance with CDP 00-28.

2. The proposed project will protect vegetation, natural habitats, and natural resources consistent with the Local Coastal Land Use Plan

Supportive Evidence:

The parcel line adjustment adjusts parcel lines, but results in no physical construction or development of the site. CDP 00-28 has been required to prepare the necessary landscape and habitat restoration plans for the adjacent

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designated Environmentally Sensitive Habitat Areas (ESHAs) as required by IP section 9-5.705 (c)(4)(ii) that will protect the adjacent ESHA. The project has also been conditioned to supply the required maintenance programs listed in IP section 9-5.705, subsection (g)(4), based on the detailed findings which are incorporated by reference at this point as if set forth in full by finding 4.

3. The project will meet the general requirements of the IP section 9-5.704 and LUP policy (c)(2).

Supportive Evidence:

The parcel line adjustment allows the PVUSD to fulfill its obligation relative to Coastal Development Permit 00-28 and is consistent with the provisions of the City's LCP, General Plan and Watsonville Municipal Code (WMC).

4. The proposed project complies with the specific performance standards of Zone C section 9-5.705 of the IP and LUP.

Supportive Evidence:

Section 9-5.705. Regulations

The project's compliance with the LUP within area CZ-C is discussed in the following findings that include specific development criteria and findings for nonagricultural uses, allowable increases in impervious surface coverage, airport safety, habitat preservation, provision of services, and development on slopes.

Subsection (c). Zone C, Performance Standards

(A) Development Envelope.

Consistency Findings

The City finds that the resulting parcels meet the minimum parcel size of one acre as identified in the LCIP.

Consistency Findings

The City finds that parcel line adjustment is consistent with the Figure 2A which depicts the proposed building envelope, building setbacks, and ESHA surrounding the site, including Hanson Slough, the west branch of Struve Slough and adjacent agricultural land. The project setbacks meet or exceed the required minimum setbacks.

(B) Special Conditions and Findings Required for Issuing a Coastal Permit.

Consistency Findings

i. Agriculture Buffer

The City finds that appropriate buffers have been provided per

CDP 00-28 and that the parcel line adjustment will not result in changes to these buffers. No structures are proposed within the agricultural buffer areas. The project is consistent with IP section 9-5.705, subsection (c)(4)(i), and LUP section (c)(4).

ii. Habitat Restoration

The City found that the high school project depicted the development envelope consistent with Figure 2A of the LUP. Pipelines for water and sanitary sewer utilities are located within the Harkins Slough Road right of way outside the buffer areas which are reflected by the Boundary Adjustment. Only one driveway of the minimum width necessary is proposed within the buffer located adjacent to the CDFG Ecological Preserve in accordance with IP section 9-5.705, subsection (c)(4)(ii)(aa), and LUP section (c)(3)(e). No changes are proposed in conjunction with the parcel line adjustment.

The project, as conditioned, is to dedicate buffer zones created by the Boundary adjustments to an appropriate public agency or private entity capable of maintaining and preserving them or dedicate these areas as open space/conservation easements per IP section 9-5.705, subsection (c)(4)(ii)(ad).

PVUSD is required to submit a revised Biological Restoration Plan for habitat restoration of the ESHA and buffer areas within the parcels owned by the PVUSD adjacent to the west branch of Struve Slough and Hanson Slough which is being prepared by Jones and Stokes. The plans are to be submitted to CDFG and the U.S. Fish and Wildlife Service (USFWS) to obtain input. The City finds that this plan identifies landscaping restoration requirements for the buffer areas that are consistent with IP section 9-5.705, subsection (c)(4)(ii)(ab)(ac)(ad), and LUP section (c)(3)(e).

This plan and its revisions are to address the restoration of the identified ESHA and buffer areas on land controlled by the PVUSD; identifies specific requirements for plant types, locations, and maintenance; and calls for the use of appropriate native species and removal of invasive exotic vegetation. Screening with appropriate native species are required for the southwestern, southern and eastern boundaries of the development envelope to provide a dense visual screen of the school from public roads, impede human access and enhance bird roosting and nesting. The project has been conditioned to comply with these plans. The project is consistent with IP section 9-5.705, subsection (c)(4)(vii).

iii. Slopes

The City finds that the site contains three isolated areas of slopes containing more than 15% within the development area. These isolated areas represent minor slope alteration consistent with IP section 9-5.705, subsection (c)(4)(iii), and LUP section (c)(3)(f) which allows slope modifications for public school projects. The proposed Boundary Adjustment will have no impact on these slopes.

iv. Tar Plant

The City finds that three surveys of the project site for Santa Cruz tarplant were undertaken: one in August 1998 and one in June 1999 both by wetland biologist Randall Morgan; and one in November 2000 by Jones & Stokes Associates botanist Michelle Stevens. These surveys found no evidence of tar plants, therefore, the project is consistent with IP section 9-5.705, subsection (c)(4)(iv), and LUP section (c)(3)(4).

v. Septic Systems

The City finds that the project does not include a septic or other on-site system. Rather, the project proposes to connect to the City of Watsonville municipal sanitary sewer system. The proposed Boundary adjustments have no additional modifications, therefore, this condition does not apply to the project, and the project is consistent with IP section 9-5.705, subsection (c)(4)(v), and LUP section (c)(3)(l).

vi. Streambed Alteration

The City finds that the parcel line adjustment does not require streambed alteration. The City of Watsonville, in conjunction with California Department of Transportation (Caltrans) and Santa Cruz County, is pursuing the construction of a bridge across the west branch of Struve Slough to replace the existing culverted crossing. Prior to commencement of construction of the new bridge, a streambed alteration agreement (1603) from the CDFG as well as other permits associated with wetlands and Federal and State Clean Water Acts are required per IP section 9-5.705, subsection (c)(4)(vi).

vii. Utility Connections

The parcel line adjustment will comply with all provisions of the LCIP relative to municipal water and sanitary sewer systems connections. The applicants have submitted plans for utilities to the City of Watsonville that identifies infrastructure location and size in accordance with requirements of IP sections 9-5.705 (g)(10)

and 9-5.705, subsection (c)(4)(ix)(aa). The parcel line adjustment identifies easements for the placement of utilities. These easements do not allow the extension of utilities beyond the existing high school parcel consistent with IP Section 9-5.705 subsection (c)(4)(ix)(ad). Finally the Boundary line adjustment includes a one-foot utility non access strip around the outer boundary of the entire site making the project consistent with IP section 9-5.705, subsection (c)(4)(ix)(ae).

viii. Subdivision Requirement

The City finds that the project will not create new parcels, but results in the re-configuration of six existing parcels to allow for conveyance of remainder areas to the California Coastal Conservancy for the protection of the ESHA areas. The project, as proposed, is consistent with IP section 9-5.705, subsection (c)(4)(x).

ix. Site Access

The City finds, that the boundary adjustment for project will not modify access to the high school project by Harkins Slough Road in compliance with permit # 00-28 and finding previously made thereof. The Boundary Adjustment does include access easements that allow access to the reconfigured parcels. The boundary adjustment is consistent with Section 9-5.705 subsection (c)(4)(xii)

x. Permit Timing

The parcel line adjustment is necessary to facilitate condition compliance for CDP 00-28 (High School) including the conveyance of the remainder of the Edwards property to a conservation group. Therefore, the project is consistent with IP section 9-5.705, subsection (c)(4)(xiii), and LUP section (c)(3)(p).

xi. Erosion Control

No physical development is associated with the parcel line adjustment. An erosion control plan has been prepared and submitted for the high school project that adequately describes erosion control measures intended to prevent sediment and debris from entering the City or County storm drain system, sanitary sewer system or ESHA. The project's conditions of approval require that erosion control measures shall be installed as indicated by the plan during construction and would remain in effect until disturbed areas are stabilized or until installation of permanent site improvements are installed. The project, as proposed, is consistent with IP section 9-5.705, subsection (c)(4)(xiv).

Attachment/Exhibit to: Resolution No. <u>302-01</u> (CM)

EXHIBIT	<u>A</u>
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xiii. Open Space Easements

The City finds that the boundary adjustments provided by the project modify parcels that create open space dedication areas, habitat restoration areas which will be conveyed to an appropriate agency. Open areas within the remaining 200-foot agriculture buffers of the development envelope not being used for school facilities shall be used for habitat restoration, open space or agriculture use. The District has purchased additional land the remainder of the Edwards site and the ESHAs shown on Land Use Figure 2A shall be dedicated or purchased by the appropriate conservation entity to protect the natural resource. The project is in compliance with IP section 9-5.705, subsection (c)(5)(ii)(af), and LUP section (c)(5)(b)(6).

xiv. ESHA Maintenance

The City finds that the boundary adjustment has been completed to address the conditions to record a deed restriction or dedicate the ESHA and its buffer areas to an appropriate and qualified entity responsible for maintaining and protecting these areas together with sufficient funding to implement any mitigations or conditional requirements as required by the Coastal Development Permit (CDP) 00-28. Further, conditions of approval of CDP 00-28 require that the agricultural buffer areas be landscaped and maintained by the PVUSD. The project is consistent with IP section 9-5.705, subsection (c)(5)(ii)(ah), and LUP section (c)(5)(b)(8).

xv. Right-To-Farm

The City finds that project has been conditioned to record a right-to-farm agreement as a deed restriction, and the project is, therefore, consistent with IP section 9-5.705, subsection (c)(5)(ii)(ai), and LUP section (c)(5)(b)(9).

xvi. Landscaping Maintenance Plan

The City finds that PVUSD has been conditioned to prepare a landscaping and grounds maintenance plan in association with CDP 00-28 that minimizes the use of pesticides, herbicides and fertilizers. The project is consistent with IP section 9-5.705, subsection (c)(5)(ii)(ak), and LUP section (c)(5)(b)(11).

5. The project complies with 9-5.70, subsection (g). affecting all coastal zone areas:

Consistency Findings

i. LUP Consistency

The City finds that, based on the staff report the project is consistent with the LUP.

ii Archaeologic Resources

The City finds that the project has been conditioned to include archaeologic mitigations requiring that construction cease if any resources are found and that an archeologist be hired to monitor additional work in compliance with IP section 9-5.705, subsection (g)(2).

iii. Agriculture Protection

The City finds that the project does not have to make all of the agriculture viability findings listed in IP section 9-5.815 because the project is associated with a public school and is granted an exception from these findings by section 9-5.705, subsection (4)(i). However, the project helps maintain agricultural land by potentially allowing the remainder of the Edwards' property to continue in agriculture production through conveyance to a conservation entity. The project is consistent with LUP policy (II)(A)(2)(a)(b).

iv. Visual Resources

The City finds that the proposed parcel line adjustment will not impact visual resources and will implement the high school project which, based on design clarifications, was determined acceptable. The project, as proposed, is in compliance with IP section 9-5.705, subsection (g)(3), and LUP section (11)(b).

a. Visibility From Highway One

Not applicable to the parcel line adjustment.

b. Underground Utilities

Not applicable to the parcel line adjustment. No utilities are proposed with the application. The high school project includes plans for utilities that identify infrastructure location and size and indicates that all utilities shall be placed underground which is consistent with IP section 9-5.705, subsection (g)(3)(ii).

c. Advertising

The City finds that no advertising or commercial signs are proposed by the project in compliance with IP section 9-5.705, subsection (g)(3)(iii).

d. Subdivision

The City finds that the project will not create new parcels, but results in the re-configuration of parcels to allow for conveyance of remainder areas to the California Coastal Conservancy. This adjustment will not make the project more visible in accordance with IP section 9-5.705, subsection (g)(3)(iv).

e. Grading

Not applicable to the parcel line adjustment. The project, as proposed, is consistent with IP section 9-5.705, subsection (g)(3)(v).

f. Protection of Public Viewshed

Not applicable to the parcel line adjustment. The Coastal Commission in finding no substantial issue with appeal of CDP 00-28, that the high school project addressed issues of public viewshed.

g. Landscaping

Not applicable to the parcel line adjustment. The project is consistent with IP section 9-5.705, subsection (g)(3)(vii).

v. Habitat Restoration

PVUSD is required to amend the Biological Restoration Plan for habitat restoration of the ESHA and buffer areas within the parcels owned by the PVUSD adjacent to the west branch of Struve Slough and Hanson Slough which is being prepared by Jones and Stokes. The plans are to be submitted to CDFG and the U.S. Fish and Wildlife Service (USFWS) to obtain input. This plan and its revisions are to address the restoration of the identified ESHA and buffer areas on land controlled by the PVUSD; identifies specific requirements for plant types, locations, and maintenance; and calls for the use of appropriate native species and removal of invasive exotic vegetation.

vi. Open Space Easements

The City finds that the project has allows the PVUSD to meet the condition to record a deed restriction or dedicate the ESHA buffer areas to an appropriate and qualified entity responsible for maintaining and protecting these areas as required by IP section 9-5.705, subsection (g)(5)(i)(ii)(iii). Pending acceptance of the deed restriction or easement dedication by the appropriate agency, the project is consistent with IP section 9-5.705, subsection (g)(5).

vii. Agricultural Buffer

The parcel line adjustment does not impact the buffer zones required by the LCIP and by conditions of approval for CDP 00-28. The project, as proposed, is consistent with IP section 9-5.705, subsection (g)(6).

viii. Right-To-Farm Agreement

The City finds that the project has been conditioned to record a right-to-farm agreement as a deed restriction consistent with IP section 9-5.705, subsection (g)(7).

ix. Best Management Practices (BMPs) for Drainage

Not applicable to the parcel line adjustment as no physical development is proposed. In association with CDP 00-28, Erosion control measures will be installed as appropriate during construction and remain in effect until disturbed areas are stabilized or until permanent site improvements are installed. The high school project has been designed with a series of detention ponds that will act as a biofiltration channel to reduce pollutants from roads when the project is completed.

x. ESHAs

The City finds that the proposed parcel line adjustment recognizes and assists in protecting ESHA areas consistent with the development envelope set forth in the IP section 9-5.705, subsection (g)(9) and approved CDP 00-28.

xi. Utility Extension

Not applicable to the parcel line adjustment. CDP 00-28 has been conditioned accordingly.

EXHIBIT A
Page 11 of 11

CITY OF WATSONVILLE
CITY COUNCIL

Application No.: 01-103

APNs: 018-281-02, 08, 12, 14, 18 & 19

Applicant: Pajaro Valley Unified School District

Hearing Date: December 11, 2001

FINAL CONDITIONS OF APPROVAL

General Conditions

1. This parcel line adjustment approval shall be null and void if not recorded within 24 months from the effective date of the approval.
2. This parcel line adjustment approval shall not be final until the appeal period has lapsed or until final resolution under appeal by the California Coastal Commission.
3. This approval applies to the map identified as "Proposed Lot Line Adjustment Parcel Line New Millennium High School" received by the Community Development Department on November 27, 2001. The record of survey map recorded shall be in substantial conformance with the approved map unless modified by subsequent City Council action.

Project Specific Conditions

4. The owner shall prepare and record with Santa Cruz County a deed and legal description for the revised parcel boundaries approved by this action or as the alternative record a Record of Survey Map with appropriate documentation with the following revisions:
 - A. A private access easement to the benefit of Parcels 4, 5 and 6 shall be incorporated within the Public Utility Easement noted on Parcel 1; and
 - B. A 20-foot private access easement to the benefit of Parcels 4, 5 and 6 shall be extended from the terminus of the public utility easement noted on Parcel 1 to serve Parcels 4, 5 and 6. Final alignment shall be reviewed and approved by the City prior to recordation.
5. The Applicant shall dedicate a one-foot utility non-access easement to enclose Parcels 1, 5 and 6. The easement shall run adjacent to the easterly and westerly boundary of Parcel 1, Parcel 5 and 6 and the northerly boundary of Parcel 6. The easement shall be dedicated to the Santa Cruz County Land Trust or other qualifying entity approved by the effectively prohibiting utility lines from crossing to surrounding properties outside City limits except the one crossing allowed to serve the high school project. (PVUSD, CDD-P)
6. The owner shall submit a copy of the recorded documents within three days of recordation to the City of Watsonville and the Central District Office of the California Coastal Commission.

Prior to Exercising Coastal Development Permit 01-103 (PVUSD New Millennium High School), the applicant shall comply with the following:

7. The Applicant shall have a wetland biologist prepare a revised biological restoration plan that addresses habitat restoration and includes goals, objectives, performance standards,

CCC Exhibit C
(page 19 of 21 pages)

Attachment/Exhibit to:

EXHIBIT B

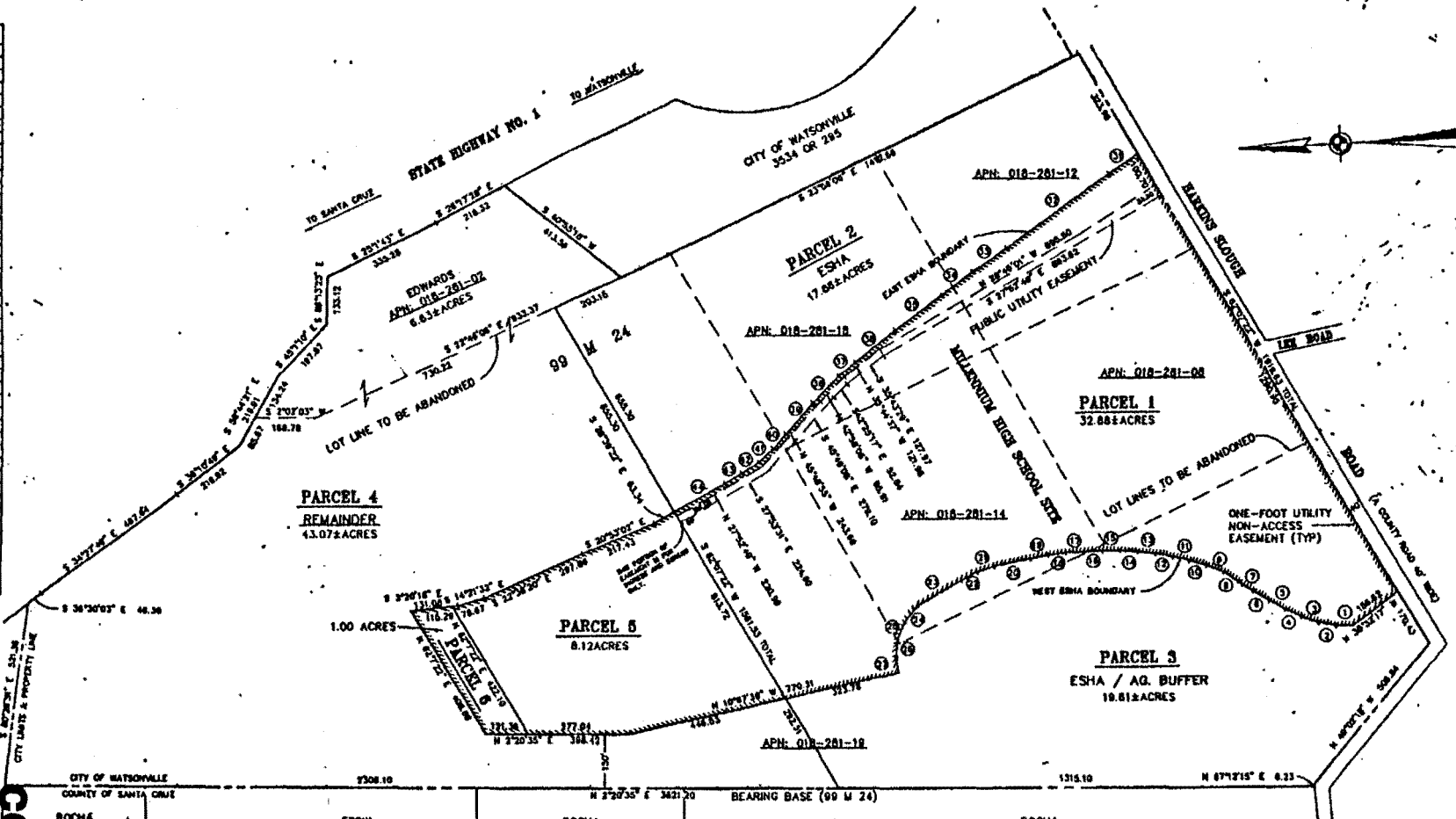
and a maintenance program consistent with the requirements of IP section 9-5.705, subsection (g)(4). This plan shall be submitted consistent with the timelines and include the items provided as clarification in the PVUSD letter of September 13, 2001 to the California Coastal Commission included as Exhibit N to 10/10/01 Coastal Commission appeal staff report. (PVUSD, CDD-P)

8. The Applicant shall establish and maintain a bond in an amount sufficient to construct identified environmental enhancements to the ESHA with the cost of improvements identified by the landscape architect. This bond shall be used by the City to install the improvements in the event case improvements are not installed according to the adopted ESHA restoration plan in accordance with IP section 9-5.705 (5)(ii)(ac). This plan shall be submitted consistent with the timelines and include the items provided as clarification in the PVUSD letter of September 13, 2001 to the California Coastal Commission included as Exhibit N to 10/10/01 Coastal Commission appeal staff report.(CDD-P)
9. The Applicant shall record a deed restriction, conservation easement or convey the ESHA buffers to an appropriate and qualified entity responsible for maintaining and protecting these areas as required under IP section 9-5.705, subsection(c)(5)(ii)(ah). Additionally, the agricultural buffer areas within the development envelope shall be landscaped and maintained by the Applicant. These easements is plan shall be submitted consistent with the timelines and include the items provided as clarification in the PVUSD letter of September 13, 2001 to the California Coastal Commission included as Exhibit N to 10/10/01 Coastal Commission appeal staff report. (PVUSD, CDD-P)
10. The PVUSD shall facilitate the acquisition of the remaining portion of the Edwards' property for the purpose of providing conservation and/or agricultural easement(s) as clarified in the PVUSD letter of September 13, 2001 to the California Coastal Commission included as Exhibit N to 10/10/01 Coastal Commission appeal staff report. (PVUSD)
11. "Offers of conveyance" described in condition 9 and 10 above shall be provided with funding necessary for conservation purposes which shall be negotiated between the PVUSD and the grantee of the dedication . The PVUSD shall not dedicate or convey the site without adequate assurance of availability of necessary funding. These shall include the items included as clarification in the PVUSD letter of September 13, 2001 to the California Coastal Commission included as Exhibit N to 10/10/01 Coastal Commission appeal staff report. (PVUSD, CDD-P)

Attachment/Exhibit to:
Resolution No. 302-01 (CM)

CCC Exhibit C
(page 21 of 21 pages)
EXHIBIT B
Page 1 of 2

NO.	COURSE
1	N 37° 37' 37" W 54.78
2	N 17° 47' 03" E 48.14
3	N 81° 54' 03" E 49.33
4	N 28° 36' 21" E 48.84
5	N 50° 53' 35" E 50.16
6	N 37° 47' 58" E 48.88
7	N 33° 30' 56" E 50.15
8	N 38° 17' 24" E 48.88
9	N 25° 27' 54" E 50.77
10	N 30° 17' 33" E 50.00
11	N 18° 50' 50" E 48.20
12	N 17° 10' 35" E 49.39
13	N 8° 50' 33" E 48.83
14	N 6° 07' 04" E 48.25
15	N 7° 33' 07" E 50.05
16	N 0° 28' 03" W 48.89
17	N 2° 48' 03" W 50.01
18	N 1° 58' 56" W 50.07
19	N 2° 13' 07" W 49.73
20	N 8° 50' 33" E 48.83
21	N 18° 50' 50" E 48.20
22	N 27° 00' 18" W 48.89
23	N 37° 00' 36" W 49.22
24	N 48° 21' 31" W 54.11
25	N 64° 08' 03" W 53.11
26	N 80° 42' 00" W 50.05
27	S 82° 02' 37" W 46.76
28	S 82° 02' 37" W 46.76
29	S 82° 02' 37" W 46.76
30	S 82° 02' 37" W 46.76
31	N 31° 36' 47" W 57.41
32	N 34° 10' 43" W 350.88
33	N 33° 20' 31" W 118.21
34	N 35° 45' 41" W 106.53
35	N 34° 57' 35" W 181.80
36	N 36° 30' 28" W 141.73
37	N 36° 30' 00" W 56.18
38	N 43° 44' 58" W 103.43
39	N 48° 36' 26" W 114.50
40	N 46° 25' 31" W 54.22
41	N 40° 43' 54" W 54.41
42	N 30° 41' 01" W 54.78
43	N 26° 36' 00" W 53.84
44	N 27° 00' 18" W 181.80



NOTES:

APPLICANT: PAJARO VALLEY UNIFIED SCHOOL DISTRICT
676 TERRY McHENRY, ASSOC. SUPERINTENDENT
294 GREEN VALLEY ROAD
WATSONVILLE, CA 95076
PHONE: (831) 728-6200-EXT.203

OWNER: RALPH & KATHLEEN EDWARDS
5021 COAST ROAD
SANTA CRUZ, CA 95060

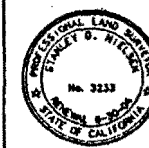
EXISTING AREAS:
APH: 018-281-08 9.98±ACRES
APH: 018-281-12 9.98±ACRES
APH: 018-281-14 9.98±ACRES
APH: 018-281-18 9.98±ACRES
APH: 018-281-19 76.02±ACRES
APH: 018-281-02 8.63±ACRES
TOTAL AREA 122.57±ACRES

PROPOSED AREAS:

PARCEL 1 32.88±ACRES
PARCEL 2 17.88±ACRES
PARCEL 3 19.88±ACRES
PARCEL 4 43.07±ACRES
PARCEL 5 8.12±ACRES
PARCEL 6 1.00±ACRES
TOTAL AREA 122.57±ACRES

THE BOUNDARY FOR THIS ADJUSTMENT IS SHOWN ON THE MAP RECORDED IN VOLUME 99 OF MAPS, AT PAGE 24, SANTA CRUZ COUNTY

THIS MAP DOES NOT CREATE ANY NEW OR NON-CONFORMING PARCELS; IT DEPICTS THE PROPOSED BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 018-281-08, 018-281-12, 018-281-14, 018-281-18 AND 018-281-19 SUBJECT TO THE RECORDING OF DEEDS.



NEW MILLENNIUM HIGH SCHOOL PAJARO VALLEY UNIFIED SCHOOL DISTRICT CITY OF WATSONVILLE SANTA CRUZ COUNTY CALIFORNIA	
SCALE: 1"=200' DRAWN BY: SON DATE: NOV. 21, 2001 REVISED: DEC. 6, 2001 BY: 01188	MID COAST ENGINEERS CIVIL ENGINEERS AND LAND SURVEYORS 70 POINT LN. SUITE A, WATSONVILLE, CA 95076 (408) 724-2580
PROPOSED LOT LINE ADJUSTMENT	

1 OF 1

Attachment/Exhibit to:

Resolution No. 302-01 (CM)

RECEIVED

DEC 05 2001

EXHIBIT
Page 1 of 1
(page 21 of 21 pages)

THELEN REID & PRIEST LLP

ATTORNEYS AT LAW

SEVENTEENTH FLOOR

533 WEST SAN CARLOS STREET

SAN JOSE, CALIFORNIA 95110-2701

TEL (408) 302-5400 FAX (408) 287-8010

www.thelenreid.com

NEW YORK
WASHINGTON, D.C.
MORRISTOWN, N.J.

SAN FRANCISCO
LOS ANGELES
SILICON VALLEY
SOUTH PARK

Keith L. Slenkovich
(408) 282-1821

kslenkovich@thelenreid.com

January 22, 2002

BY U.S. MAIL AND FAX: (831) 728-6173

RECEIVED

John Doughty
Community Development Director
City of Watsonville
P.O. Box 50000
Watsonville, CA 95077-5000

JAN 23 2002

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

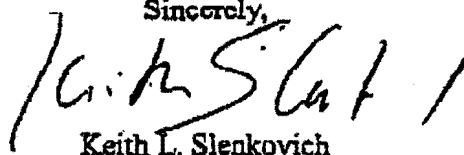
Re: Appeal to Coastal Commission of Coastal Development Permit No. 01-103

Dear Mr. Doughty:

We write on behalf of Ralph and Kathleen Edwards, who are the current title holders to the entire property that was subdivided through the recently adopted City of Watsonville Coastal Development Permit No. 01-103. The Edwards are also aware that appeals are pending to this permit to the Coastal Commission, consolidated under the designation Commission Appeal No. A-3-WAT-02-002. As part of a settlement with Pajaro Valley Unified School District, the Edwards have consented to sell the School District the southern seventy acres of their property (now parcels 1, 2, and 3), and also appointed the School District as their agents for the purposes of seeking the lot line adjustment or subdivision on the entire approximately 122 acre property. Please be advised that the Edwards are aware of the lot line adjustment being addressed with the Coastal Commission, and support that adjustment. The Edwards have authorized Pajaro Valley Unified School District to act as their agents in seeking the lot line adjustment, and the District was so acting in pursuing Coastal Development Permit No. 01-103.

Please call if you have any questions regarding this matter.

Sincerely,



Keith L. Slenkovich

KLS/DJM/tr
SV #103257

CCC Exhibit D
(page 1 of 1 pages)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
TELEPHONE: (831) 427-4863
(831) 427-4877

**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT**

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):

Commissioner Sara Wan	Commissioner Christina Desser
California Coastal Commission	California Coastal Commission
45 Fremont Street, Suite 2000	45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219	San Francisco, CA 94105-2219
(415) 904-5200	(415) 904-5200

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Watsonville

2. Brief description of development being appealed:

Lot line adjustment involving 6 parcels (APNs 018-281-02, 018-281-08, 018-281-12, 018-281-14, 018-281-18, and 018-281-19).

3. Development's location (street address, assessor's parcel number, cross street, etc.):

City Coastal Zone Area C west of Highway One within City of Watsonville city limits in south Santa Cruz County.

4. Description of decision being appealed:

- a. Approval; no special conditions: _____
b. Approval with special conditions: XXX
c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-WAT-02-002
DATE FILED: 01-07-02
DISTRICT: Central Coast

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JAN 07 2002

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CCC Exhibit E
(page 1 of 6 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)

5. Decision being appealed was made by (check one):

a. ☐ Planning Director/Zoning
Administrator

c. ☐ Planning Commission

b. ☒ City Council/Board of
Supervisors

d. ☐ Other: _____

6. Date of local government's decision: December 11, 2001

7. Local government's file number: 01-103

SECTION III Identification of Other Interested Persons

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

PVUSD	Ralph and Kathleen Edwards
294 Green Valley Road	5021 Coast Road
Watsonville, CA 95076	Santa Cruz, CA 95060

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Assemblyman Fred Keeley's Office

701 Ocean Street, Room 318-B

Santa Cruz, CA 95060

(2) Sierra Club Ventana Chapter

P.O. Box 604

Santa Cruz, CA 95061

(3) Peter Nichols

686 Larkin Valley Road

Watsonville, CA 95076

(4) Citizens for a Safe High School Site

611 Cliff Drive

Aptos, CA 95003

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Page 3

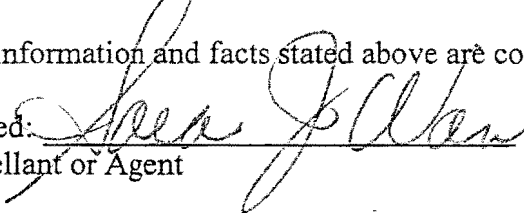
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Please see attached "Reasons for appeal."

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: 
Appellant or Agent

Date: January 7, 2002

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

(Document2)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Please see attached "Reasons for appeal."

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Signed: Christina L. Dorn
Appellant or Agent

Date: January 7, 2002

Agent Authorization: I designate the above identified person(s) to act as my agent in all matters pertaining to this appeal.

Signed: _____

Date: _____

(Document2)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 4)

Reasons for appeal:

The City of Watsonville approved a proposal to adjust property lines for six of the seven parcels that make up City Coastal Zone Area C. The City-approved project raises Local Coastal program (LCP) conformance issues and questions as follows:

It is relatively clear that the City-approved lot line adjustment is meant to facilitate the development of a high school on Area C. The adjustment of lot lines is, in fact, a requirement of the City's previous coastal development permit (CDP) approval for a high school development on a portion of Area C (City CDP 00-28, Pajaro Valley Unified School District's New Millennium High School). However, the City's previous high school approval and the LCP dictate that any portion of Area C not used for high school development be permanently and exclusively protected for agriculture and habitat (respectively). In other words, the high school development "uses up" all development potential for Area C. The approved lot line adjustment does not include provisions to ensure that the non-high school parcels are permanently protected for agriculture and habitat as directed by the LCP and the high school CDP. Accordingly, it is not clear that the reconfigured parcels would be adequately preserved as directed by the LCP and thus the approved project raises questions of consistency with the LCP's intent and policies for Area C.

In addition, the LCP specifically prohibits the adjustment of lot lines that would result in parcels that would not be able to accommodate development consistent with Area C performance standards, unless such parcels are permanently protected and dedicated to agriculture or habitat uses. In this case, of the resultant parcels, one would be 100% environmentally sensitive habitat area (ESHA), a second would be nearly 100% ESHA, a third would be too narrow to maintain the required 200 foot agricultural setbacks, the new parcel configuration might preclude clustering development (to avoid development in the critical public viewshed), and the potential for differing parcel ownerships could threaten agricultural viability (due to differing uses, lack of irrigation water access, lack of site access, etc.) on the agricultural portions of the resultant parcels. Because the resultant parcels have not been permanently protected as directed by the LCP, and because they would not be able to accommodate development consistent with Area C performance standards, the approved project raises questions of consistency with the LCP's Area C requirements for parcels.

Moreover, to address the issues of habitat preservation and agricultural viability, the LCP requires development (including categorically any lot-line adjustment) to include a Specific Plan meant to, among other things, ensure the long-term viability of agriculture and the permanent protection of habitat areas. The LCP includes an agricultural viability reporting requirement designed to supplement the Specific Plan and provide adequate information on the effect of development on agricultural viability. The approved project does not include the LCP-required Specific Plan and has not otherwise addressed the LCP's agricultural viability analysis and reporting requirements. As a result, and again because the resultant parcels have not been otherwise protected as required by the LCP, the approved project raises questions of consistency with the LCP's Area C requirements for agricultural and habitat protection.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 4)

Reasons for appeal (continued):

Finally, while it can be inferred based on an understanding of City CDP 00-28, it is not legally clear in the approved lot line adjustment project which resultant parcel(s) would be allotted to high school use and which not. Because of this, it is not clear to which parcels the required additional high school property restrictions (such as the required one-foot utility non-access easement per City CDP 00-28) would be applied. Absent clear identification, parcels for which high school development is not envisioned might not be adequately protected, and, vice-versa, parcels envisioned for high school development might be barred from such development (if permanently protected for agricultural use, for example). As such, the approved project raises questions of consistency with the LCP's Area C requirements for the high school and for long-term agricultural and habitat preservation.

In sum, the City LCP allows for high school development (as previously approved for a portion of Area C by City CDP 00-28) provided certain restrictions are placed on the high school property and the remainder of Area C is permanently and exclusively protected for agriculture and habitat. The City LCP only allows for lot line adjustments if the resultant parcels can meet Area C performance standards or are permanently protected and preserved for agriculture and habitat; the LCP includes a Specific Plan and agricultural viability reporting requirement for this purpose. Although the approved lot line adjustment is clearly related to City CDP 00-28 for the high school, and must be understood in that larger context, it was approved separately and must be evaluated for LCP consistency on its own merits. The approved project does not include a Specific Plan, does not include an agricultural viability report, does not clearly identify the high school parcel(s), results in parcels that cannot accommodate development consistent with Area C standards, and does not permanently preserve and protect the remainder of Area C for agriculture and habitat (respectively). As such, the approved project's conformance with core LCP policies is questionable. These issues warrant a further analysis and review by the Coastal Commission of the lot line adjustment.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 486-4863



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JAN 07 2002

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):

Sierra Club Santa Cruz Group c/o Co-Chair Marilyn Frazer
P.O. Box 604
Santa Cruz, CA 95061
(831) 426-4453
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Watsonville

2. Brief description of development being appealed:

Parcel line adjustment and CDP (01-103) to adjust six
parcels within property identified as Coastal Zone Area C.

3. Development's location (street address, assessor's parcel number, cross street, etc.):

APNs (s): 018-281-02, 018-281-08, 018-281-12,
018-281-14, 018-281-18 and 018-281-19

4. Description of decision being appealed:

- a. Approval; no special conditions: X
b. Approval with special conditions: _____
c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-WAT-02-002

DATE FILED: 01-07-02

DISTRICT: Central Coast

CCC Exhibit F
(page 1 of 4 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)

5. Decision being appealed was made by (check one):

a. ☐ Planning Director/Zoning Administrator

c. ☐ Planning Commission

b. ☒ City Council/Board of Supervisors

d. ☐ Other: _____

6. Date of local government's decision: December 11, 2001

7. Local government's file number: # 6.4(a)

SECTION III Identification of Other Interested Persons

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Pajaro Valley Unified School District
294 Green Valley Road
Watsonville, CA 95076

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Karell Reader
375 Clifford #115
Watsonville, CA 95076

(2) Susan Young
P.O. 252
Davenport, CA 95017

(3) _____

(4) _____

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Please see attached

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Maulgn Ufford
Signature of Appellant(s) or Authorized Agent

Date January 7, 2002

NOTE: If signed by agent, appellant(s) must also sign below.

SECTION VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

APPEAL OF COASTAL DEVELOPMENT PERMIT APPLICATION NO. 01-102

The Santa Cruz Group of the Sierra Club hereby appeals CDP Application No. 01-102, filed by the Pajaro Valley Unified School District on behalf of the Edwards property owners, for a boundary adjustment to modify the boundary lines of six existing parcels on the site, and approved by the Watsonville City Council on December 11, 2001, for the following reasons:

The proposed parcel realignment creates parcels that are inconsistent with Watsonville's Local Coastal Program. The proposed parcels do not meet performance standards set by the LCP.

For example, the proposed parcel realignment creates one parcel entirely composed of ESHA, and another parcel which is nearly all ESHA. Since property owners cannot be denied the entire use of their property, such realignment sets up successful "takings" lawsuits in the future should property owners sue to develop. (We note that such ESHA parcels also have the potential to be used as mitigation tools or ESHA "bank accounts," should the owners of these ESHA parcels seek to develop elsewhere in the sensitive Coastal Zone.)

One of the other parcels, a prime ag land parcel, would be only 100' wide, resulting in ag restrictions that could not be maintained (ag buffers are typically 200' wide). These parcel realignments could result in residential or other non-ag uses on the parcels, thus allowing development that would not be permitted without such parcel realignment.

Furthermore, the City of Watsonville is required by its LCP to create a specific plan for Area C, and this has not been done. The intent of this lot line adjustment should be made clear to the public. The City of Watsonville should create a clear plan for all of Area C, entailing one action, rather than piecemealing or segmenting its intended project and thereby obfuscating the City's intended use of these parcels.

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 27-4863

APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):

Karell ReaderPMB 1221961 Main St.Watsonville, CA

Zip

(831) 761-2855

Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Watsonville CDP DI-103

2. Brief description of development being appealed:

New Millennium High School - Edwards property
parcel line adjustments

3. Development's location (street address, assessor's parcel number, cross street, etc.):

4PN 018-281-2, 8, 12, 14, 18 & 19

4. Description of decision being appealed:

- a. Approval; no special conditions: ☒
- b. Approval with special conditions: ☐
- c. Denial: ☐

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-3-WAT-02-002DATE FILED: DI-07-02DISTRICT: Central Coast

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DEC 19 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREACCC Exhibit 9
(page 1 of 6 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)

5. Decision being appealed was made by (check one):

a. ☐ Planning Director/Zoning Administrator

c. ☐ Planning Commission

b. ☒ City Council/Board of Supervisors

d. ☐ Other: _____

6. Date of local government's decision: 12/11/01

7. Local government's file number: CDP01-103

SECTION III Identification of Other Interested Persons

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

City of Watsonville PVUSD
250 Main St.
Watsonville, CA 95076

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Karell Reader Sierra Club
PMB 122 1961 Main St. P.O. Box 604
Watsonville, CA 95076 Santa Cruz, CA 95060
- (2) PVUSD - Dr. John Casey
294 Green Valley Rd
Watsonville, CA 95076
- (3) Dan Hernandez
319 Second St
Watsonville, CA 95076
- (4) Jerry Thomas
16900 Pleasant Valley Rd
Aptos, CA 95003

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

I got no answers to many of my questions concerning this matter. I believe that the CEQA exemption may be invalid in this case or CEQA regulations may be at risk.

Please see my attached letter.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Karell Roach

Signature of Appellant(s) or Authorized Agent

Date 12/19/01

NOTE: If signed by agent, appellant(s) must also sign below.

SECTION VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

CCC Exhibit 6
(page 3 of 6 pages)

Signature of Appellant(s)

Date _____

PMB 122 - 1961 Main Street
Watsonville, CA 95076
December 18, 2001

California Coastal Commission
Central Coast District Office
725 Front Street
Santa Cruz, CA 95060

Re: CDP 01-103

Dear Commissioners:

I am writing to you to appeal the Watsonville City Council's decision to approve the CDP 01-103. As you know, this CDP relates to the adjustment of parcel boundaries on the Edwards property that is being developed for the PVUSD New Millennium High School. I was present at the City Council meeting and along with some other concerned citizens made public comment during the public hearing on this item.

I had difficulty getting answers to some of the questions I posed to the City staff and Council. As a result, I requested information from the files on this matter. I still do not have all the important facts, but I am presenting this appeal with the background that I do have on this situation.

My concerns arise mainly from possible CEQA violations. The City claimed a CEQA exemption that would permit simple parcel line adjustments to accommodate needed environmental protections. However, as you are aware, the parcel line adjustments for this project have potential ramifications that exceed the standard for mere property boundary adjustments. My concern is that while it was indicated that the Land Trust or the Coastal Conservancy will have a role in purchasing or preserving the development rights on what will be the non-PVUSD owned parcels, it is presently entirely unclear who will ultimately hold title to these parcels and how they will be managed.

I would ask that the Commissioners and staff to make provisions that the ultimate title holders of the non-PVUSD owned parcels be bound to all the Commission's requirements and, furthermore, that these parcels be inexorably locked as integral to the New Millennium High School project for perpetuity. This would avoid possible ESHA banking and protect those parcels from eventual use in another land development trade in the future. To do otherwise would open the door for debates on CEQA segmentation issues.

Please review this request with staff and consider it in your decision making on this CDP application.

Sincerely,



Karell Reader

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DEC 19 2001

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

RECEIVED

JAN 22 2002

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

PMB 122 - 1961 Main Street
Watsonville, CA 95076
January 19, 2002

California Coastal Commission
Central Coast District Office
725 Front Street
Santa Cruz, CA 95060

Re: CDP 01-103

Dear Commissioners:

I am writing to you concerning my appeal of the Watsonville City Council's decision to approve the CDP 01-103. As you know, this CDP relates to the adjustment of parcel boundaries on the Edwards property that is being developed for the PVUSD New Millennium High School. I have been able to secure additional information on this action and would like to augment my appeal.

In response to my request for additional documentation from staff at the City, I did get some paperwork, but the file was terribly incomplete. I did receive the application for the boundary changes. It was submitted by the PVUSD on behalf of the Edwards and there was no evidence of a sales agreement between the two parties that would permit this act of agency. There was also no acknowledgement by the Edwards or their representative providing proof of their intent to allow these boundary changes to take place. I believe City staff may have been negligent in acting on this application without all the proper documentation.

Despite the facade of ownership presented by the PVUSD, the District has not completed this transaction. While the courts have provided rights to the District under eminent domain proceedings, I do not believe that boundary changes and acts of agency are included. This would be extremely unlikely since eminent domain is considered a hostile taking of rights and would be in direct opposition to a position of agency which involves a more fiduciary relationship where acting in behalf of your client requires that you do everything in your power to protect and advance their interests. The PVUSD's application was premature, presumptive and, no doubt, illegal.

Secondly, it is now apparent that the Land Trust of Santa Cruz County is no longer interested in pursuing outright fee title of the agricultural and ESHA parcels that would be established by these changes, nor does it seem that they are interested in holding the restrictive use easements. It appears that the City of Watsonville will now become the owner of these lands. I have no direct issue with this, but I do have some concerns that I would like to put forth. If this indeed does become the case, the following matters should be addressed in an enforceable agreement.

- In addition to the clearly delineated requirements of the Coastal Commission, full strict agricultural and conservation easements should be placed on all parcels and held and monitored by the funding sponsor, the Coastal Conservancy. The City should pay a deposit (or the Conservancy could accept a consideration out of available funds) to implement this service. An annual payment by the City should be made to cover the Conservancy's annual costs with additional funds to accrue in an enforcement account should there ever need to be litigation to clarify or correct actions.
- Since the City is not in the business of managing agricultural and ESHA lands, prior to any title transfers a very strict, detailed management plan should be put in place, implemented and monitored. A monitoring agency or agencies should be identified and penalties and fines should be enforced for failure to comply with the mutually agreed plan. The City may have

wonderful intentions, but continuity and motivation would be low otherwise. Since the school district is the direct beneficiary of these parcel changes, they should cover a majority of the costs in the habitat restoration and monitoring in exchange for the City acting as their partner and taking fee title to lands that the City would otherwise not have an interest in owning.

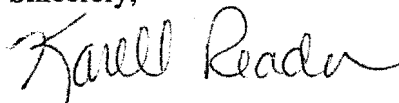
- One further stipulation would be that there be provisions in an agreement that the parcels created in by the boundary changes would never be offered as mitigation for an additional development of other lands in the Coastal Zone. It is ultimately clear that these lands' protection is the essential element in the process of allowing for the High School project to proceed. To leave any possibility that these parcels might again come up in further development schemes would allow for a situation of "double dipping." This would be cause for direct action under CEQA segmentation provisions.

Thirdly, and perhaps most importantly, the boundary changes as proposed are in direct conflict with the LCP in several areas.

- There is the establishment of all-ESHA parcels. These are not permitted and hinder beyond reason the landowner(s) (whoever that may be) rights to use their land.
- There is the establishment of a parcel which, if the high school does not proceed as a viable project, could be land locked and unusable for anything but agriculture because it would be virtually consumed by agricultural buffer requirements.

It is entirely unclear to me why the City would act in such an unwise manner on this CDP. It is my hope that the Commission will consider my observations and suggestions and ensure that these problems will be properly addressed.

Sincerely,



Karell Reader

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

725 FRONT STREET, SUITE 300

SANTA CRUZ, CA 95060

(408) 427-4863



**APPEAL FROM COASTAL PERMIT
DECISION OF LOCAL GOVERNMENT**

Please review attached appeal information sheet prior to completing this form.

SECTION I. Appellant(s):

Name, mailing address and telephone number of appellant(s):

DANIEL JOE HERNANDEZ
319 SECOND STREET -
WATSONVILLE CA 95076 531
(408) 761-5306
 Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government:

City Watsonville

2. Brief description of development being appealed:

Parcel line adjustment and CPP (01-103) to adjust
six parcel within property identified as Century 2000
Area C.

3. Development's location (street address, assessor's parcel number, cross street, etc.):

APN'S (S): 018-281-02, 018-281-05 018-281-12
018-281-14, 018-281-281-18 and 018-281-19

4. Description of decision being appealed:

- a. Approval; no special conditions: X
 b. Approval with special conditions: _____
 c. Denial: _____

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:APPEAL NO: A-3-WAT-02-002DATE FILED: 01-07-02DISTRICT: Central Coast**RECEIVED**

JAN 07 2002

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

CCC Exhibit H
 (page 1 of 3 pages)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 2)

5. Decision being appealed was made by (check one):

a. ☐ Planning Director/Zoning Administrator

c. ☐ Planning Commission

b. ☒ City Council/Board of Supervisors

d. ☐ Other: _____

6. Date of local government's decision: Dec. 11, 2001

7. Local government's file number: # 6.4 (9)

SECTION III Identification of Other Interested Persons

Give the names and addresses of the following parties: (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Pajaro Valley Union School District
294 Green Valley Rd
Watsonville CA 95076

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearings (s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Karrell Renda
375 Clifford #115
Watsonville

(2) Jerry Thomas
1680 Pizarro Valley Rd
Artes CA. 95007

(3) Sylvia Peruvitali
611 Cliff Drive
La Selva 950

(4) _____

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (PAGE 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Parcels do not meet performance standard
set by the city of Watsonville L.C.P.
under the L.C.P. 100% ESA Parcel
are inappropriate also proposed AG parcel.
does not meet Ag. restrictions

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

David La Harue
Signature of Appellant(s) or Authorized Agent

Date 01-07-02

NOTE: If signed by agent, appellant(s) must also sign below.

SECTION VI. Agent Authorization

I/We hereby authorize _____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

CCC Exhibit H
(page 3 of 3 pages)

Signature of Appellant(s)

Date _____

Watsonville 2005

LOCAL COASTAL PROGRAM



City of Watsonville

Adopted September 28, 1982 (Resolution 340-82)
Amended January 25, 1983 (Resolution No. 18-83)
California Coastal Commission Certification: April 14, 1983
Last Amended April 14, 1998 (Resolution No. 105-98)
California Coastal Commission Certification of Amendment: May 13, 1998
California Coastal Commission Certification of Amendments: October 12, 2000
INCLUDES LCP AMENDMENTS THROUGH 1-99

SELECTED LCP POLICIES

Exhibit I

pg 1 of 55

II. POLICIES AFFECTING ALL AREAS

A. **Planning and Locating New Development and Agriculture.**

1. New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it and minimize energy consumption and vehicle miles traveled. However, visitor serving facilities that cannot feasibly be located in existing developed areas may be located at selected points of attraction for visitors.

Relation to Coastal Act: Section 30250(a) (compact development), 30253(4) (energy consumption), 30250(c) (points of attractions).

Effect on Development: A similar policy exists in the City General Plan. This has the effect of discouraging "leapfrog" development and premature or excessive extension of street and utility lines.

2. Lands suitable for agricultural use shall not be converted to non-agricultural uses, unless (1) continued or renewed agricultural use is not feasible, or (2) such development would serve to concentrate development consistent with Policy 1.
 - (a) The maximum amount of prime agricultural land, including but not limited to prime agricultural land on Area C, shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:
 - (1) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
 - (2) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
 - (3) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Policy II.A.(1).
 - (4) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
 - (5) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability,

either through increased assessment costs or degraded air and water quality.

- (6) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.
- (b) Lands suitable for agricultural use (i.e., Areas A, B, and C) shall not be converted to non-agricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Policy II.A.(1). This policy shall not supercede specific Policies III.B.(4) and III.C.(4) that apply to Areas B and C.

Relation to Coastal Act: Sections 30241 and 30242 (prime and non-prime agricultural lands)

Effect on Development: Preserves agricultural lands and reinforces Policy II.A.(1) (See Section V.A for further details.)

3. New development shall be consistent with requirements imposed by the Monterey Bay Unified Air Pollution Control District.

Relation to Coastal Act: Section 30253(3).

Effect on Development: Large new stationary sources of air pollutants may be prohibited or required to provide 120% offsetting reductions. None are contemplated.

4. Where development would adversely impact archeological or paleontological resources as identified by the State Historical Preservation Officer, reasonable mitigation measures shall be required.

Relation to Coastal Act: Section 30244.

Effect on Development: No such resources are presently on record within Areas A, B, C, D, or E.

5. Development shall not expose people or property to hazards from landslides, soil expansion or shrinkage, flooding or subsidence, and shall not increase any such hazard which may exist in nature. A grading plan and soil stability analysis may be required at the discretion of the City Planning Department for any major construction or grading. (Standards for erosion, sediments and runoff are given in Appendix D).

Relation to Coastal Act: Section 30253(2).

Effect on Development: May require avoidance or special engineering treatment of areas subject to the hazards list.

6. No lot shall be created which would not contain a building site consistent with the LUP policies and any City Ordinance.
7. The City will not pursue any additional annexations to the City west of Highway One, nor support any annexation requests to the City from third parties in that geographic area, except for the Green Farm parcel (Santa Cruz County Tax Assessor's Parcel Number 052-271-04).

B. Coastal Visual Resources.

New development shall be sited and designed to protect views of scenic coastal areas (including the wetlands of the Watsonville Slough complex and associated riparian areas), to minimize the alteration of natural landforms, to be visually compatible with the character of the surrounding area, and where feasible to restore and enhance the visual quality of visually degraded areas; all utilities in new development shall be placed underground, and hillsides and pervious areas shall be revegetated through a mix of natives grasses, shrubs, and trees coordinated with, and complementary to, building design, consistent with a transition to the natural landform, and compatible with view protection. All development shall be designed and sited so as to be subordinate to preservation of the rural agricultural and wetland character of the surrounding rolling hill landscape.

Relation to Coastal Act: Section 30251.

Effect on Development: Scenic coastal areas afforded view protection include the wetlands of the Watsonville Slough complex visible from or across Areas A, B, and C. Underground placement of utilities and hillside reforestation are existing requirements of the City's Conservation Element and support the preservation of visual resources.

C. Public Works.

Special districts or City utility department service areas shall not be formed or expanded except where assessment for, and the provision of, the service would not induce new development inconsistent with the preservation of agricultural land and other coastal resources. The provision of sewer and potable water utilities in the coastal zone shall be contingent upon a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that provides

that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel Number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the city from third parties in that geographic area, unless both of the following findings can be made:

- (i) The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been re-designated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and
- (ii) The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's Local Coastal Program or in Sections 30107.5 or 30121 of the Coastal Act.

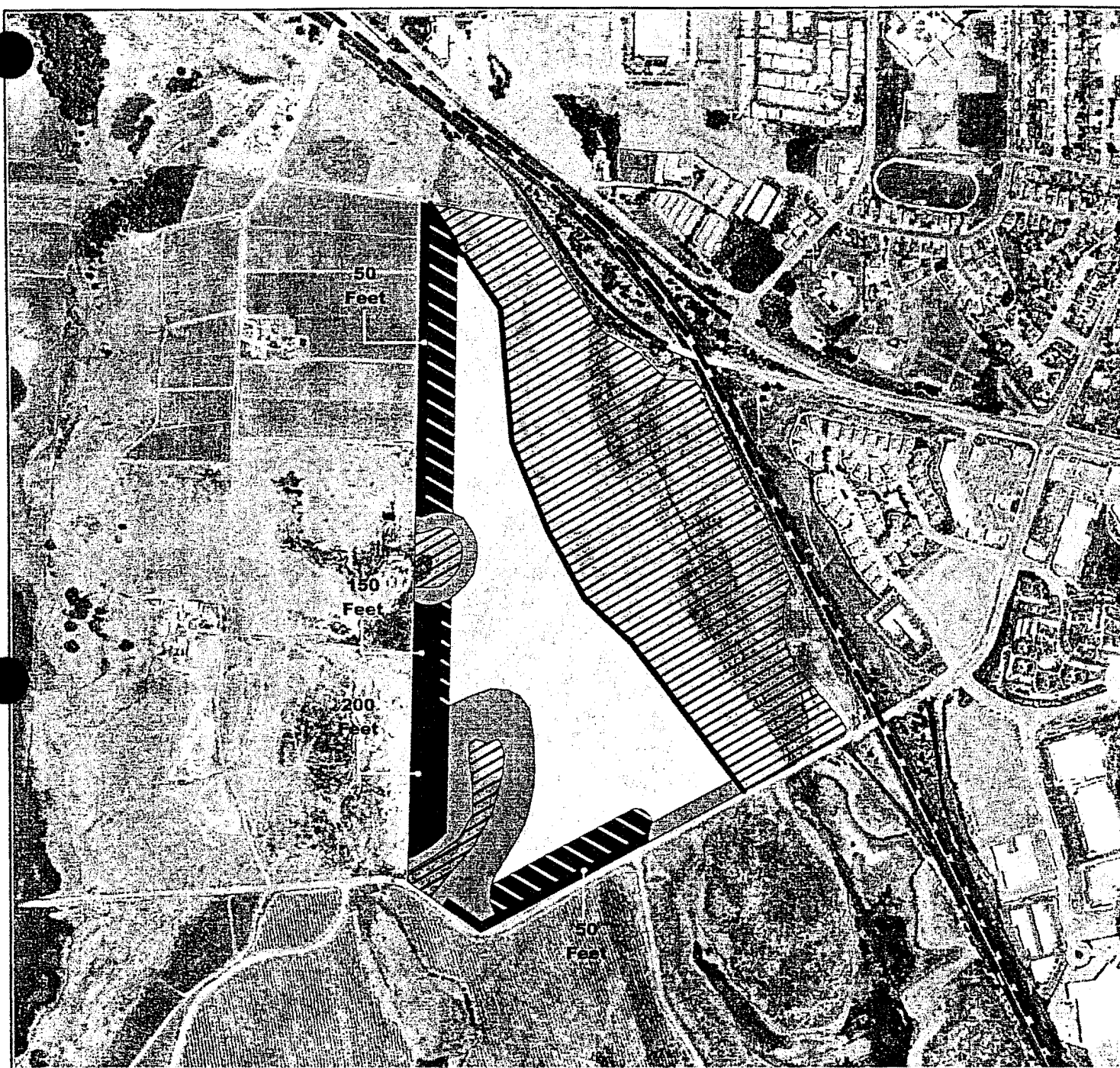
In the event that a third party annexation west of Highway One is approved inconsistent with (i) or (ii) above, the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation; and prohibit (a) the extension of urban services to this land, and (b) any subdivisions of the annexed land except those required for agricultural lease purposes.








Any such sewer and potable water utilities shall: be the minimum size necessary to accommodate the permitted use; be designed and built without extra connection points (i.e., stub-outs) not necessary for the permitted use; be installed only in conjunction with actual construction of the development that they are to serve; incorporate dedication of a one-foot or greater non-access easement surrounding the parcel served by the utilities across which extensions of sewer service and potable water are prohibited; be placed entirely within the City of Watsonville City limits unless certain overriding exception circumstances are found; emanate from one City sewer line under Highway One north of Beach Road unless certain overriding exception circumstances are found; and not be developed if capacity is not available to serve the permitted use.

D. Environmentally Sensitive Habitats Areas and Water Resources.

1. Environmentally sensitive areas shall include but not be limited to the freshwater wetlands, wetland-upland transition and riparian habitat identified in this Local Coastal Program (Fig. 2 and 2A).
Environmentally sensitive areas" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem which could be easily disturbed or degraded by human activities and developments, including endangered species habitat as identified by the State Department of Fish and Game, or by a qualified professional botanist; all coastal wetlands and lagoons and areas of riparian vegetation.

Figure 2A: COASTAL ZONE AREA C - CONSTRAINTS



-  Agricultural Setback *2.00 Foot*
-  Public School Restricted Use Area Within Agricultural Setback
-  Recommended Development Envelope
-  ESHA*
-  ESHA BUFFER
-  Farm Road
-  Coastal Zone Boundary

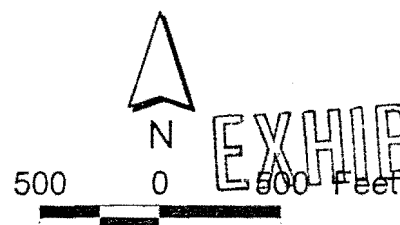


EXHIBIT I

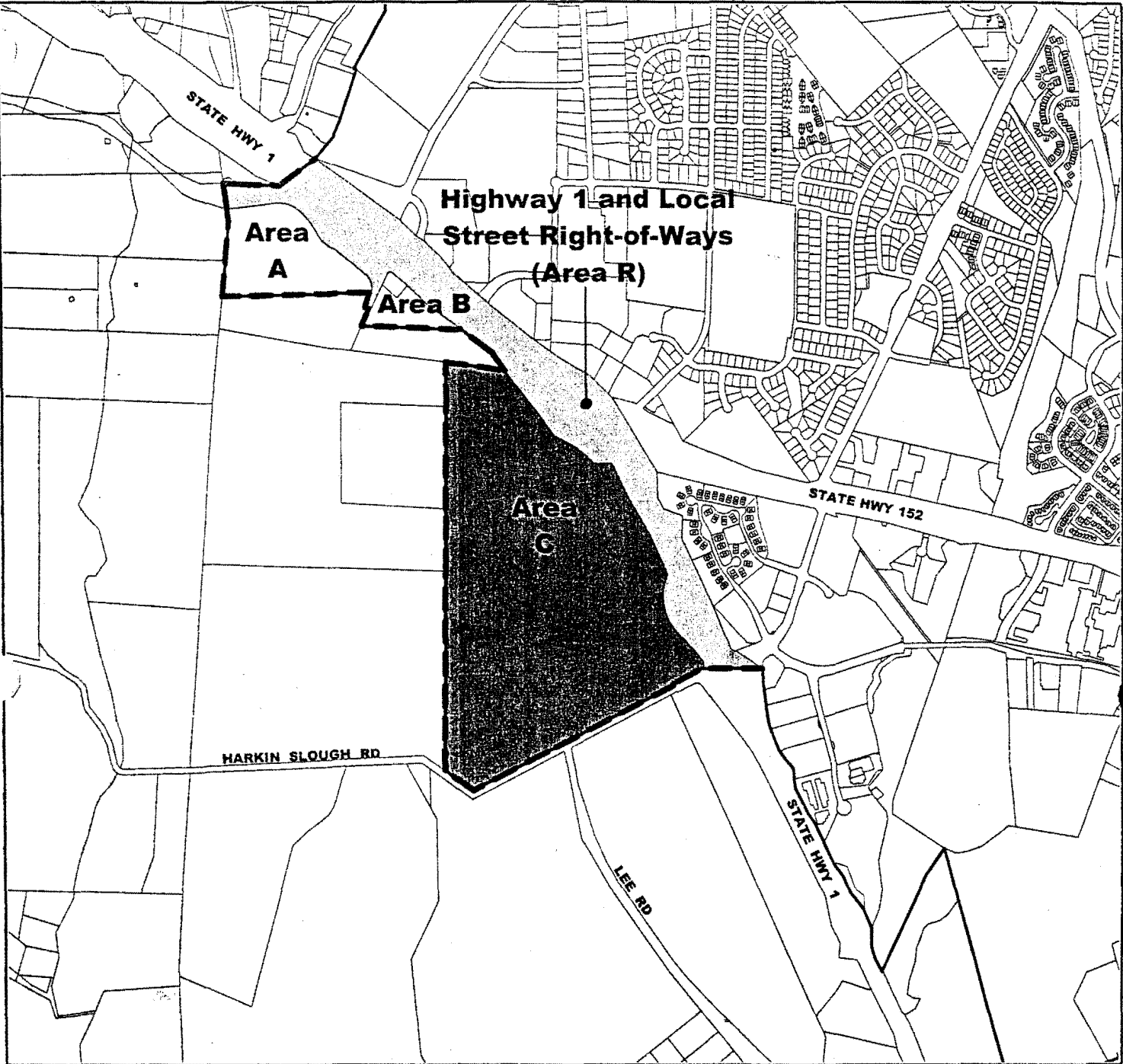
*ESHA designation over West Branch Struve Slough also protects visual resources and minimizes land form alteration.

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




Photo Source: 1993 USGS ORTHOPHOTO

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Figure 1A: COASTAL ZONE AREA R - UTILITY PROHIBITION DISTRICT



Legend

-  *Special Study Area*
-  *Highway 1 and Local Street Right-of-Ways (Area R)*
-  *Utility Prohibition*
-  *Overlay District*
-  *City Limit*
-  *Parcels*

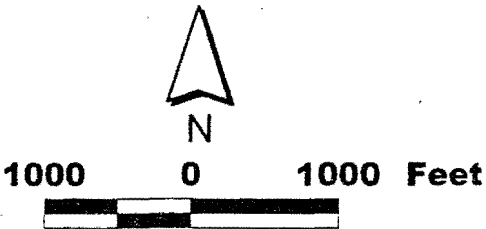


EXHIBIT I

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The City of Watsonville assumes no responsibility for any errors.

Photo Source: 1993 USGS ORTHOPHOTO

70455-3

Wetland-upland transition is defined as a type of wetland occurring along the seasonally inundated margins of a slough. Wetland-upland transition may have been altered historically for the production of pasture or other crops. Nevertheless, if it displays evidence at any time of year of periodic inundation by surface water, hydric soil conditions, the occurrence of wetlands plants, or use by wetland dependent animals, it shall be deemed a wetland and as such an environmentally sensitive area.

If any environmentally sensitive areas are newly identified or suspected or if environmentally sensitive area boundaries are to be adjusted as a result of omission - see draft independent scientific research, the City shall conduct appropriate studies to verify and delineate the area. The City shall then make a determination as to the existence of an environmentally sensitive area with specific factual findings based on these studies. If this determination differs from the conclusions contained in the LUP maps and policies as to the location of environmentally sensitive areas, then the City shall seek an amendment to the LUP reflective of this determination. The verification and delineation steps shall include consultation with the State Department of Fish and Game and the consideration of additional information which may be provided by other experts.

Relation to Coastal Act: Section 301~~7~~07.5 (should be 30107.5)⁽²⁾

Effect on Development: Watsonville's wetlands below 20 feet elevation are already subject to the Wetland Protection policies of the State Department of Fish and Game as discussed in Section IV-A. A site survey identified those wetlands plus valuable transitional riparian zones also subject to Coastal Act protection. See map and policies affecting specific areas, which include setback requirements and grading restrictions.

2. Environmentally sensitive habitat areas (including but not limited to those mapped in Figure 2) shall be protected against any significant disruption of habitat values, and only uses dependent on such resource shall be allowed within such areas.

Relation to Coastal Act: 30233 (wetland protection); 30240(a) (buffer areas).

Effect on Development: This prohibits residential, commercial or industrial development in the habitat areas show in Figures 2 and/or 2A or identified in future studies. More specific measures are given under Policies Affecting Specific Areas, below.

3. Development of areas adjacent to environmentally sensitive habitat areas (including but not limited to those mapped in Figures 2 and/or 2A) shall be sited and designed so as to prevent impacts which would

significantly degrade or be incompatible with the continuance of such habitat areas. Buffers from all such areas shall be included with all development; such buffers shall be planted in such a way as to provide functional resource value as well as to shield such sensitive habitat areas from development. Specific setback distances³ for development are given in Section III ("Policies Affecting Specific Areas").

DISTANCES³

Relation to Coastal Act: Section 30240(b).

Effect on Development: Specific control measures are given for each area depending upon the use, topography, and resources being protected.

WETLANDS⁴

4. (a) The biological productivity of coastal streams and wetlands⁴ shall be maintained, where feasible, by minimizing adverse effect of wastewater discharges and entrainment, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian streams and minimizing alteration of natural streams.
- (b) Development shall be designed to conserve water to the greatest practical extent, so as to minimize both the occurrence of overdrafts from the Pajaro Valley Groundwater Basin and the amount of runoff and sanitary waste which need to be controlled to protect coastal wetlands.
- (c) Runoff from all impervious surfaces and from all areas subject to vehicular traffic shall be collected and disposed of in a way which does not result in soil erosion or degradation of water quality. Drainage systems shall be designed to accommodate runoff from at least a 25-year storm. All requirements of Land Use Plan Appendix D ("Erosion Sedimentation and Runoff Controls") shall be implemented.)
- (d) All development shall incorporate structural and non-structural Best Management Practices (BMPs). BMPs are methods for controlling, preventing, reducing, or removing typical runoff pollutants. BMPs generally fall into two categories: source control BMPs and treatment BMPs. Source control BMPs are designed to reduce or eliminate the introduction of pollutants into runoff (e.g., regular sweeping/ vacuuming of vehicle parking areas). Treatment BMPs are designed to remove pollutants from runoff (e.g., silt fences to trap sediments at construction sites). In order of priority, all development shall: first, limit impervious surfacing and pollutant loading through good site planning; second, reduce pollutant loads through source control; and third, reduce pollutant loads through treatment controls (where appropriate).

EXHIBIT I

- a. New off-ramps from Highway One shall be prohibited if designed to relieve congestion generated by public school development on Area C.
- b. New off-ramps from Highway One and/or additional road capacity for any roads, offramps, or overpasses within this district (e.g., Rampart Road, Airport Boulevard off-ramp, Main Street, Harkins Slough Road overpass) shall be prohibited unless all of the following have occurred:
 - 1. A traffic study has been completed by a qualified transportation engineer demonstrating that there exists a severe congestion problem inland of Highway One (i.e., level of Service D at peak periods) that cannot be solved by other feasible means (including but not limited to modifying traffic signal timing and alternative transportation measures) other than the new off-ramp or road widening project;
 - 2. The project includes pedestrian, bicycle, and transit components, except in the case of offramp improvements only; and
 - 3. There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that provides that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel Number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the City from third parties in that geographic area, unless both of the following findings can be made:
 - (i) The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been re-designated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and
 - (ii) The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's Local Coastal Program or in Sections 30107.5 or 30121 of the Coastal Act.

In the event that a third party annexation west of Highway One is approved inconsistent with (i) or (ii) above, the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation; and prohibit (a) the extension of urban services to this land, and (b) any subdivisions of the annexed land except those required for agricultural lease purposes.

- c. New environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation

areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program that preserves sensitive habitat values and minimizes human disturbance.

- d. Except for the ESHA east of the farm road on Area C, all development shall be set back a minimum of 100 feet from any environmentally sensitive habitat area. Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.
- e. All development shall be sited and designed to minimize the amount of noise, lights, glare, and activity visible and/or audible within environmentally sensitive habitat areas and their required buffers. Adequate screening (through plantings, soil berms, and/or solid wood fences) located outside of the environmentally sensitive habitat areas and their buffers shall be required to limit degradation of habitat and buffer areas, and to ensure that the amount of noise, lights, glare, and activity visible and/or audible in these areas are minimized.
- f. All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation easements shall be required for all such buffer areas.

AREA C

C.1 Permitted Uses

Passive recreation
Agriculture
Aquaculture

C.2 Conditional Uses

- a. Residential, subject to C.4
- b. Light non-nuisance industrial park (not including outside storage), subject to C.4
- c. Public schools until January 1, 2010; after January 1, 2010, public schools are not a conditional use unless they are already constructed; subject to C.4 and C.5

C.3. Performance Standards for All Development

- a. Environmentally sensitive habitat areas must be kept in a natural state and protected from the incursion of humans, domestic animals and livestock, from erosion, sedimentation and contaminated runoffs and from loud noise or vehicular traffic. Peat harvesting is permitted within such areas, provided such activity does not significantly degrade those areas and is compatible with habitat preservation, and grazing of presently grazed areas may be continued but not expanded, but discing, harrowing and all structures are prohibited. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program which preserves sensitive habitat values and minimizes human disturbance. All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation easements shall be required for all such buffer areas. Land in environmentally sensitive habitat areas must be excluded from calculation of density and allowable impervious surface area.
- b. Density for Conditional Residential Use: 5 (non-habitat) acres per housing unit; any subdivision or residential use beyond one unit per existing parcel is allowed only pursuant to a specific plan pursuant to Policy III.C.(3)(n).
- c. Minimum Lot for Conditional Industrial Use: 20,000 sq. ft; pursuant to a specific plan, pursuant to Policy III.C.(3)(n).
- d. Maximum Impervious Surface Area: 10% of lot area; or up to 18 acres for a public school only (subject to Land Use Plan Policy III.C.(2)(c)), subject to C.5; "lot area" means gross parcel acreage minus acreage of wetland, riparian habitat, and other environmentally sensitive habitat areas within the gross parcel acreage. Vehicular parking areas shall be minimized.
- e. Minimum setback for all development or agricultural activity from riparian habitat: 100'; from wetland or transitional zone: 100' or to the edge of the development envelope depicted on Land Use Plan Figure 2A, whichever is greater. Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.
- f. Maximum Slope of Developed Portion of Lot (Before Grading): 15 feet in any 100 foot interval, except for isolated areas of slopes greater than 15% within the development envelope shown on Land Use Plan Figure 2A and if required for construction of a public school only (subject to Land Use Plan Policy III.C.(2)(c)).
- g. There is a possibility that specimens of the endangered Santa Cruz Tarweed exist in Area C. Prior to approval of any development, a field search for this plant shall be conducted by a qualified botanist on all of Area C during the

time of year in which the plant is expected to be in bloom. Any areas where Santa Cruz Tarweed are identified shall be deemed environmentally sensitive habitat areas to which the Local Coastal Program environmentally sensitive habitat policies apply.

- h. Approved erosion control measures must be utilized during construction. No excavation or grading shall be permitted during the months of October through March. All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation.
- i. Prior to the approval of any development relying upon a septic tank or other on-site system, a specific design must be submitted supported by an engineering analysis by a licensed soils engineer which demonstrates both sufficient separation between leaching fields and winter groundwater levels to ensure that no degradation of groundwater quality will occur. Any approval of a septic tank or other on-site system must also be conditional upon compliance with any waste discharge requirements established for that system by the Regional Water Quality Control Board.
- j. The City should work with the Wildlife Conservation Board, the Nature Conservancy, and other agencies to promote public or foundation acquisition of the upper half of the West Branch of Struve Slough in order to allow a greater degree of resource protection than is possible under private ownership.
- k. Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601-1603 of the California Public Resources Code.
- l. Service Systems. Sewer service will probably not be required if the site is developed at the recommended densities and a septic tank system is proven feasible. Sewer (only for a public school, subject to Land Use Plan Policy III.C.(2)(c)) and/or potable water service, may be provided only if all of the following circumstances apply to such utility(ies):
 - (1) They shall be financed in a way which does not require nor involve assessments against or contributions from properties along Lee Road outside of Area C, or against any agricultural property;
 - (2) They shall be the minimum size pipes, pumps, and any other facility(ies) necessary to accommodate the permitted use, and evidence is provided from a licensed civil engineer indicating that this is the case;
 - (3) They shall be designed and built to end as a hook-up to the allowed development with no other stubs on or off the site;

- (4) They shall incorporate dedication of a one-foot or greater non-access easement surrounding the outer boundary of the parcel(s) on which the development to be served by the utility(ies) will occur. The extensions of sewer service and potable water shall be prohibited across the non-access easement and the easement shall be dedicated to a public agency or private association approved by the City Council. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the Department of Fish and Game or a non-profit land trust would be candidate entities to accept such an easement);
- (5) The wastewater connection shall emanate from only one City sewer line (no greater than six (6) inches wide if a force main, or eight (8) inches wide if a gravity line) under Highway One north of Beach Road except that two lines may be pursued if the requirements of subsection (8) below are met. In such case, no more than two sewer lines shall cross Highway One. If a sewer line is extended for a public school along Harkins Slough Road, such line shall be a six inch force main and shall enter the school site as near to Highway One as possible;
- (6) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that provides that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel Number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the city from third parties in that geographic area, unless both of the following findings can be made:
- (i) The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been re-designated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and
- (ii) The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's Local Coastal Program or in Sections 30107.5 or 30121 of the Coastal Act. In the event that a third party annexation west of Highway One is approved inconsistent with (i) or (ii) above, the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation; and prohibit (a) the extension of urban services to this land, and (b) any subdivisions of the annexed land except those required for agricultural lease purposes;
- (7) Adequate capacity is available to serve the site; for water, the result

- shall not be a worsening of the groundwater overdraft situation; and
- (8) They must be placed within the City of Watsonville City limits, unless all of the following occur: (1) Caltrans will not allow such lines to be installed in the Caltrans right of way within the City limits; (2) the City makes a finding that there is a one foot non-access strip surrounding the pipeline through County land which prohibits any tie-ins to the line and which is dedicated to a non-profit agency; (3) the City makes a finding that any pipelines through County lands are located inland of the Santa Cruz County Utility Prohibition Overlay District adopted pursuant to the MOU required by City of Watsonville Local Coastal Program Amendment 1-99; (4) the line through the County is found consistent with the County local coastal program and have received an appealable County coastal permit; and (5) the connecting lines within the City limits comply with all other applicable provisions of this ordinance.
- m. Phasing of Development. It is anticipated that market forces and development costs will delay development of this area until after the infilling of comparable lands east of Highway 1.
- n. Area C is designated as a Special Study Area where development is subject to a Specific Plan, unless that development is: (1) one residence per existing parcel; or (2) a public school. All other development, subdivision, and/or lot line adjustment is subject to a Specific Plan. The Specific Plan shall: define all development areas for Area C; provide permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Land Use Plan C.(3).(q) and IP Section 9-5.705(c)(1); provide permanent measures to protect areas within agricultural and environmentally sensitive habitat areas and buffers; and ensure that all Local Coastal Program policies will be met. At a minimum, the Specific Plan shall:
- (1) Allow for non agricultural development only on the parcel(s) or portion(s) of parcel(s) found infeasible for continued or renewed agricultural use under Land Use Plan Policy III.C.(4) and IP Section 9-5.705(c)4 and only within the development envelope shown on Land Use Plan Figure 2A;
 - (2) Not allow any subdivision or other adjustment of parcel lines that cannot accommodate development consistent with Area C performance standards unless the parcel is permanently protected and dedicated to agriculture or another open space use;
 - (3) Allow for resubdivision of existing parcels which is encouraged to better meet Local Coastal Program objectives for Area C;
 - (4) Comply with all standards for development of Area C; and
 - (5) The Specific Plan shall also:
 - (i) Delineate a maximum building envelope of 8 acres within the development envelope shown on Land Use Plan Figure 2A that

- is found infeasible for continued or renewed agricultural use;
 - (ii) Within the maximum building envelope, the maximum impervious surface coverage is 7 acres; the remaining 1 or more acres is for landscaping and other pervious surface uses;
 - (iii) Allow for subdivision for residential purposes resulting in lots as small as one acre (minimum size for septic systems), provided that there is a maximum of 15 residences permitted; and;
 - (iv) Allow for portions of residential parcels to extend beyond the 8 acre maximum building envelope, provided that any such portions are restricted to agricultural uses or comprise the 200 foot agricultural buffer;
- (o) If improved site access is required to serve permitted development on Area C, such access shall be constructed from West Airport Boulevard and not Harkins Slough Road if this is feasible and corroborating evidence shows it to be the least environmentally damaging alternative. If this is not feasible, then the City shall recommend to Santa Cruz County that any improvements to Harkins Slough Road (including, but not limited to road widening), shall include replacing the West Branch of Struve Slough culverts under Harkins Slough Road with a bridge of adequate span to provide for flood protection and habitat connectivity between the West Branch of Struve Slough on Area C and the California Department of Fish and Game Reserve, unless an alternative that is environmentally equivalent or superior to a bridge is identified. The City shall also recommend against any fill of any portion of the West Branch of Struve Slough except for incidental public services. Any Harkins Slough Road improvements at the Hanson Slough crossing shall provide adequate culverts to ensure habitat connectivity. Development shall be designed to minimize the extent of any such Harkins Slough Road improvements; improvements not necessary to serve the permitted development are prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount noise, lights, glare, and activity visible and/or audible within the West Branch of Struve Slough. Night lighting shall be limited to the minimum necessary to meet safety requirements and shall incorporate design features that limit the height and lumination of the lighting to the greatest extent feasible; provide shielding and reflectors to minimize on-site and off-site light spill and glare to the greatest extent feasible; avoid any direct lumination of sensitive habitat areas; and, incorporate timing devices to ensure that the roadway is illuminated only during those hours necessary for school functions and never for an all night period.
- p. All development associated with Area C within unincorporated Santa Cruz County shall have a valid County Coastal Development Permit before any City Coastal Development Permit can be exercised.
- q. All non-agricultural development on Area C shall be clustered within a building envelope no larger than 8 contiguous acres, with the exception that

a public school (subject to Land Use Plan Policy III.C.(2)(c)) shall be located within a building envelope no larger than 42 contiguous acres. If residential use (one residence) is proposed on a parcel in the absence of a specific plan, then it shall be located in a manner that would allow one house on each remaining parcel to be located within a 8 acre contiguous building envelope.

- r. All development, other than habitat restoration activities, shall be restricted to the development envelope shown on Land Use Plan Figure 2A.
- s. The maximum height of any development shall be 30 feet as measured from finished grade.

C.4 Criteria for Non-Agricultural Use

Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist. Other non-agricultural use may be permitted only if: (1) continued or renewed agricultural use is demonstrated to be infeasible because it cannot be accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors; or (2) if agricultural use on the site (or the part of the site proposed for non-agricultural use) has ceased, then non-agricultural use may be permitted only if renewed agricultural use is not feasible. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Land Use Plan Policy III.C.(2)(c)). Non-agricultural development within Area C shall not be allowed unless a Specific Plan (see Land Use Plan Policy III.C.(3)(n)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Policy C.3.(q); and ensures that all plan policies will be met. Any non-agricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County. At a minimum, a 200 foot, permanently protected (i.e., by easement or dedication) agricultural buffer (located on the portion of property devoted to non-agricultural uses) that incorporates vegetative or other physical barriers, shall be required to minimize potential land use conflicts. Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200-foot agricultural buffer on the perimeter of Area C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area.

C.5 Criteria for an Increase in Impervious Surface Coverage and Development on Slopes

An increase in impervious surface coverage (up to 18 acres of that portion of Area C within the development envelope defined in Land Use Plan Figure 2A) and development on isolated areas of slopes greater than 15% (within the development envelope shown on Land Use Plan Figure 2A) on Area C may be allowed for a

public school (subject to Land Use Plan Policy III.C.(2)(c) only if: (a) the following findings are made; and (b) the following mitigation measures are included as enforceable conditions of any coastal development permit granted for a public school:

a. Required Findings:

- (1) The impervious surface coverage is the minimum necessary to accommodate a public school of a size documented as needed by the school district to serve existing and projected student populations and to meet State School Sizing Criteria;
- (2) There is no feasible alternative location;
- (3) The siting clusters the school as much as possible to leave as much of the non-habitat part of the site available for continued agriculture, open space or habitat restoration;
- (4) Airport Safety.
 - (i) The PVUSD has, prior to submitting an application for a coastal development permit but after March 16, 2000, given written notice to the State Department of Education pursuant to California Education Code section 17215, to request an airport safety and noise evaluation of any portion of Area C proposed for development. This notice shall request that this evaluation take into account changed circumstances since the 1992/97 Caltrans Aeronautics review, including but not limited to the following:
 - 1) The public school development envelope approved by City of Watsonville Local Coastal Program Amendment 1-99.
 - 2) Relevant factors listed in the revised Office of Airport Procedures of the Aeronautics Program, dated December 16, 1998 (e.g., flight activity, type of aircraft, proposed operation changes, etc.).
 - 3) The proposed runway extension; and
 - (ii) The City has received Department of Education documentation, pursuant to section (i) above, indicating which portions of Area C are safe for public school development with respect to potential airport safety concerns; and
- (5) The design is evocative of, and designed to be compatible with, the rural agricultural character of the surrounding rolling hill landscape.

b. Required Coastal Development Permit Conditions:

- (1) The public school shall include: (a) an environmental stewardship program, with an interpretive and teaching plot adjacent to the upper finger of Hanson Slough on Area C for students to conduct supervised environmental restoration; and (b) a sustainable agricultural education component (e.g., similar to that at Watsonville High School) that may include some agricultural study plots on site;

- (2) There shall be no exterior night lighting, other than the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting shall be directed away from environmentally sensitive habitat areas and shall not be visible from any vantage point within environmentally sensitive habitat areas. All interior lighting shall be directed away from windows which are visible from environmentally sensitive habitat areas. All lighting shall be downward directed and designed so that it does not produce any light or glares off-site;
- (3) The Applicant shall develop a wetland restoration and landscape plan with input from a qualified wetland biologist and hydrologist that incorporates, at a minimum, all of the provisions of Policy C.(3)(a) above and that shall provide for the restoration of all buffer areas (from environmentally sensitive habitat areas and agriculture). The plan shall be submitted and approved by the City prior to issuance of the coastal development permit. The Applicant shall post a bond with the City of sufficient amount to provide for all environmental enhancements and all mitigation measures that are identified in any final environmental document(s) certified for the project;
- (4) There shall be screening between habitat and areas with human activity so that such areas shall not be visible from any vantage point within environmentally sensitive habitat areas;
- (5) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation;
- (6) Any land on Area C not incorporated into the building envelope for a public school shall be used only for agricultural purposes, open space, or habitat restoration, with the 200 foot buffer from the school and the fields adjusted accordingly. If the land is purchased by a school district, the district must present a binding agreement to offer the excess land for agricultural, open space, or habitat restoration use. An agreement to offer land for agricultural use must be made at no greater than fair market rents. Legal access must be provided to any remainder agricultural parcel, without any restrictions as to the farm employees' use;
- (7) Any agricultural wells on Area C that would be displaced by school development shall be made available at no more than current market costs to adjacent or nearby farmers, if such farmers demonstrate a need for the water and it can be feasibly transported to their fields;
- (8) The permittee shall record a deed restriction or an open space/conservation easement that provides that all agricultural and

- ESHA areas and their buffers shall be permanently maintained and protected. All agricultural and ESHA areas and their buffers shall be offered to appropriate resource management agencies and/or non-profit organizations along with sufficient funding to implement any mitigations or conditional requirements applicable to these areas;
- (9) An agricultural hold-harmless, right-to-farm agreement shall be recorded as a deed restriction on the property;
 - (10) Any special event not associated with instructional programs and/or athletic events at the school that exceeds the maximum permitted student and employee capacity of the school, and/or that may adversely affect adjacent habitat areas, shall require a coastal development permit and shall be subject to all Area C performance standards;
 - (11) There shall be a landscaping and grounds maintenance plan that provides for minimizing the use of pesticides, herbicides, and fertilizers, and protecting against adverse impacts associated with them. Such plan shall be submitted for the review and approval of the City. Pesticides and herbicides shall only be used if there is a documented problem and not on a regular preventative schedule, and shall not be applied if rain is expected. Non-chemical fertilizers are preferred. The least toxic alternatives, and the minimum necessary for the problem, shall be used in any case. The landscaping and grounds maintenance plan shall include nutrient control parameters;
 - (12) All mitigation measures that are identified in any final environmental document(s) certified for the project shall be incorporated as conditions of approval. In the event that any such mitigation measures are in conflict with these required conditions and/or with any Area C or other Local Coastal Program performance standards, then the conflicting portion of any such mitigation measure shall not be incorporated as a condition of approval; and
 - (13) Prior to the issuance of a Coastal Development Permit, the applicant shall submit a full geotechnical investigation consisting, at a minimum, of the following:
 - (i) Sufficient borings to fully characterize the soil conditions underlying all of the principal structures to be constructed.
 - (ii) Quantitative demonstration of bearing capacity of the soils.
 - (iii) Quantitative evaluation of lateral pressures to be expected due to the expansive nature of the soils at the site.
 - (iv) A seismic analysis consisting of the determination of the maximum credible earthquake at the site, corresponding maximum ground acceleration, and an estimate of the maximum duration of ground shaking.
 - (v) Evaluation of the potential for undiscovered potentially active fault strands crossing the site.

- (vi) Quantitative analysis of slope stability for all natural and artificial slopes to be built for both static loads and for accelerations expected for the maximum credible earthquake at the site. Geotechnical parameters used in these calculations should be obtained from laboratory analyses of undisturbed samples collected at the site. In the case of fill slopes, geotechnical parameters may be estimated from fill materials similar to anticipated material to be used at the site.
 - (vii) Evaluation of shallow groundwater conditions occurring naturally at the site, and anticipated changes that will occur as a result of grading. In particular, the potential accumulation of perched ground water at the contact between artificial fills and clay-rich natural soils should be addressed.
 - (vii) Demonstration that the planned drainage and detention system will be sufficient to prevent accumulation of perched ground water at the base of fills during, at a minimum, a 100-year storm event. Demonstration that peak runoff during such an event will be reduced to allowable levels before being discharged to the natural watersheds downstream of the site.
 - (viii) Evaluation of potential for liquefaction of natural soils and of artificial fills. In particular, the potential for liquefaction of artificial fills due to the presence of perched groundwater at the base of fills should be addressed.
 - (ix) All foundations and structures must be constructed to conform to the California Building Code using design parameters which take into account ground shaking expected in the maximum credible earthquake for the site. Special attention should be paid to possible misalignment of foundation supports brought about by the expansive soils at the site.
- (14) The high school shall develop a refuse containment and maintenance program that includes at least the following components: fully enclosed or animal-proof garbage containers; specifically designated eating areas; and provisions built into maintenance contracts requiring that all eating areas anywhere on campus be swept clean on a daily basis.

Relation to Coastal Act: Area C contains two wetlands, as defined by the Coastal Commission, and a small area of riparian habitat. All three should be regarded as environmentally sensitive habitat areas requiring special protection under Sections 30231 and 30233. Section 30231 of the Coastal Act requires the maintenance and, where feasible, restoration of water quality by minimizing the adverse effects of wastewater discharge, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas which protect riparian habitats, and

minimizing the alteration of natural streams. Buffer areas are also required under Section 30240(b).

Effect on Development: The foregoing requirements will cluster development within the high, gently sloping terrace which runs along the middle of Area C where it can do the least damage to the low-lying environmentally sensitive areas, and protect the sensitive areas with buffer areas and dense planting. The large lot sizes are intended to limit the populations of people and domestic animals in close proximity with the sensitive habitats, and to allow the provision of adequately-sized septic tank leaching fields. The small maximum percentage of impervious ground water cover is intended to minimize the disruption of groundwater recharge and to avoid erosion problems due to channelization of runoff. Utility systems are encouraged not to be extended along Lee Road from Area C in order to avoid growth-including impacts on the west side of the road. (The east side is within the State Wildlife Conservation Board acquisition.) Any public school development (subject to Land Use Plan Policy III.C.(2)(c)) will likewise be clustered on the gently sloping terrace area at the center of Area C where it can best be hidden from the public viewshed and where its impact on adjacent agriculture and environmentally sensitive habitat can be minimized.

AREA D

D.1 Permitted Use

Municipal sewage treatment plant

D.2 Performance Standards for All Development

- a. Waste discharge requirements of Regional Water Quality Control Board.
- b. Any new structures visible from the Pajaro River bicycle path shall be designed to minimize visual intrusion.

Relation to Coastal Act: None (no development contemplated).

Effect on Development: None.

AREA E

E.1 Permitted Use

Municipal solid waste landfill.

E.2 Conditional Uses

- a. Public Recreation
- b. Agriculture
- c. Methane Gas Production
- d. Waste Recycling Conversion Facilities

§ 9-5.201

WATSONVILLE MUNICIPAL CODE

§ 9-5.201

Sec. 9-5.201. Annexation.

The City will not pursue any additional annexations to the City west of Highway One, nor support any annexation requests to the City from third parties in that geographic area, except for the Green Farm parcel (Santa Cruz County Tax Assessor's Parcel Number 0-52-271-04).
(§ 1, Ord. 1096-00 C-M, eff. October 12, 2000)

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EXHIBIT I

230755

Sec. 9-5.602. Violations: Penalties.

A violation of this chapter in the Coastal Zone may also constitute a violation of the California Coastal Act of 1976 (Sections 30000 et seq. of the Public Resources Code of the State) and may subject the violator to the remedies, fines, and penalties set forth in Chapter 9 of the California Coastal Act of 1976 (Sections 30800 et seq. of said Public Resources Code).

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988)

Article 7. District Regulations**Sec. 9-5.700. General.**

This article provides Coastal Zone (CZ) District regulations.
(§ 1, Ord. 789-88 C-M, eff. December 8, 1988)

Sec. 9-5.701. Purpose.

The purpose of this article is to provide distinct zones within the coastal area; to establish development standards for each area to protect the resources, sensitive habitats, and agricultural uses of such land; and to preserve agricultural land and protect it against premature urban development.

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988)

Sec. 9-5.702. District.

The CZ District shall be subdivided into six (6) areas identified in the official Coastal Land Use Plan for the City, referred to in this article as the Coastal Land Use Plan. On the City Zoning Map the lands shall be designated as follows:

- (a) Area A designated CZ-A;
- (b) Area B designated CZ-B;
- (c) Area C designated CZ-C;
- (d) Area D designated CZ-D;
- (e) Area E designated CZ-E; and
- (f) Area R designated CZ-R (Highway One and local street right-of-ways).

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988; as amended by § 1, Ord. 1080-99 C-M, eff. September 23, 1999; and § 1, Ord. 1096-00 C-M, eff. October 12, 2000)

Sec. 9-5.703. Principal permitted uses.

All principal permitted uses shall be subject to an Administrative Use Permit issued through the public hearing process by the Zoning Administrator.

(a) Zone A.

GLU 81	Public Parks
GLU 86	Open Lands
GLU 93	Pasture and Native Grasses
GLU 94	Animals and Agriculture

(b) Zone B.

GLU 91	Irrigated agriculture
GLU 92	Nonirrigated agriculture
GLU 93	Pasture and native grasses
GLU 94	Animals, agriculture

(c) Zone C.

GLU 91	Parks, public
GLU 86	Open lands, publicly owned, and privately owned aquaculture facilities
GLU 89	Public and quasi-public open space
GLU 91	Irrigated agriculture
GLU 92	Nonirrigated agriculture
GLU 93	Pasture and native grasses
GLU 94	Animals, agriculture
GLU 98	Wetlands

(d) Zone D.

GLU 4911	Electrical generating plants
GLU 4942	Water treatment plants
GLU 495	Sewage disposal facilities

(e) Zone E.

GLU 496	Landfill, sanitary
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(f) Zone R.

DLU 4321	Streets, local (improvements within the existing roadway prism)
DLU 4324	Freeways (improvements within the existing roadway prism)
DLU 89	Public and quasi-public open space

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988, as amended by § 1, Ord. 1043-98 C-M, eff. February 12, 1998, § 1, Ord. 1051-98 C-M, eff. May 28, 1998; § 1, Ord. 1080-99 C-M, eff. September 23, 1999; and § 1, Ord. 1096-00 C-M, eff. October 12, 2000)

Sec. 9-5.704. Conditional uses.

The following uses shall be subject to the approval of a Special Use Permit issued through the public hearing process by the Council:

(a) *Zone A.*

DLU 432	Highway right-of-way (within the existing roadway area)
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(b) *Zone B.*

DLU 5811	Restaurants
GLU 68	Transient accommodations
DLU 6801	Hotels
DLU 6802	Motels
DLU 432	Highway right-of-way (within the existing roadway area)

(c) *Zone C.*

DLU 01	Single-family residence
DLU 1282	Industrial machinery, equipment, and supplies—wholesale
DLU 19	Industrial nonmanufacturing, miscellaneous
DLU 3565	Industrial pattern makers
DLU 4213	Industrial truck services
DLU 432	Highway right-of-way (within the existing roadway area)
DLU 71	Public schools until January 1, 2010; after January 1, 2010, public schools are not a conditional use unless they are already constructed; subject to Section 9-5.705(c).

Also any of the principal permitted uses of the IP-Industrial Park District, as of August 30, 1985, subject to the regulation of both districts, except that the height, setback and other standards of the IP District shall not supercede any of these Coastal Zone regulations.

(d) *Zone D.*

None

(e) *Zone E.*

GLU	81	Parks, public
GLU	84	Public recreational facilities
GLU	86	Open lands
GLU	89	Public and quasi-public open space
GLU	91	Irrigated agriculture
GLU	92	Nonirrigated agriculture
GLU	94	Animals, agriculture
GLU	98	Wetlands, sloughs, marshes, and swamps
GLU	49	Waste recycling and conversion facilities
GLU	492	Gas works, gasholders

(f) *Zone R.*

DLU	4321	Streets, local (improvements beyond the existing roadway prism)
DLU	4324	Freeways (improvements beyond the existing roadway prism)
DLU	47	Utilities, right-of-way

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988; as amended by § 1, Ord. 1080-99 C-M, eff. September 23, 1999; and § 1, Ord. 1096 C-M, eff. October 12, 2000)

Sec. 9-5.705 Regulations.

All applications for development including land divisions and public works projects, shall follow the Specific Development Standards listed in Appendix D of the Coastal LUP which sets minimum standards for erosion; sediment; runoff; timing/and area; soils; and vegetation.

All applications for any development in which excavations, grading, filling, or clearing of vegetation is to be performed shall include, where applicable, the information listed in Appendix D, Item G, "Information Requirements" of the Coastal LUP.

In addition, all applications for development or use permits shall comply with the specific area regulations and conditions of approval, if any, which are necessary to meet the special findings required in each area zone as follows:

on the parcel(s) in question before approval of any development. The report of such field investigation shall be forwarded to the State Department of Fish and Game for evaluation. If any portion of the site is confirmed to be an endangered plant habitat, such area shall be treated as environmentally sensitive habitat, kept in a natural state, and protected from the intrusion of humans, erosion, vehicular traffic, and other activities which could significantly disrupt the habitat.

(c) *Zone C. Performance standards.*

(1) *Minimum lot area and dimensions.*

Area per housing unit (density)	5 acres
Lot area per housing unit	1 acre (see Section 9-5.705(c)(4)(viii))
Area for industrial use	20,000 square feet
Frontage	100 feet

Any development on Area C, other than habitat restoration activities, shall be confined to the development envelope shown in Land Use Plan Figure 2A. All nonagricultural development on Area C shall be clustered within a building envelope no larger than eight (8) contiguous acres, with the exception that a public school (subject to Section 9-5.704(c)) shall be located within a building envelope no larger than forty-two (42) contiguous acres. (Exclude wetland, riparian habitat, and other environmentally sensitive habitat areas from development envelope and density calculations.)

(2) *Minimum yard setbacks.*

Front	20 feet
Interior side	5 feet
Rear	20 feet
Riparian habitat	100 feet
Wetland or transitional zone	100 feet

Hanson Slough: top of slope at the edge of the development envelope depicted on Land Use Plan Figure 2A.

West Branch of Struve Slough: top of slope at the edge of the development envelope depicted on Land Use Plan Figure 2A.

(3) *Maximum building height and lot coverage.* Lot coverage by impervious surface: ten (10%) percent, or up to a maximum total of eighteen (18) acres for a public school only (subject to Section 9-5.704(c)), subject to Section 9-5.705(c)(5). Vehicular parking areas shall be minimized. The number of parking spaces shall be based upon Watsonville Municipal Code requirements for off-street parking as of March 16, 2000. For a public school, this means:

- (i) Elementary or junior high school: one parking space per employee, plus twenty (20) public parking spaces;
- (ii) High school: one parking space per employee, plus one parking space per seven (7) student classroom seats;
- (iii) College or university: one parking space per three (3) student classroom seats.

Height: thirty (30) feet as measured from finished grade, subject to Section 9-5.705(g)(3). However, up to two (2) buildings may exceed the thirty (30) foot limit so long as each building has a maximum height of thirty-seven (37) feet, is a public school facility, and does not exceed eighteen thousand (18,000) square feet.

(Exclude wetland, riparian habitat, and other environmentally sensitive habitat areas from gross parcel acreage for purposes of calculating maximum impervious surface coverage.)

(4) *Special conditions and findings required for issuing a special use permit and/or coastal permit:*

(i) Habitat preservation and restoration uses that remove agricultural land from production in or adjacent to habitat areas or on slopes are permitted, pursuant to a restoration plan prepared by a biologist pursuant to Section 9-5.705(g)(4). For other nonagricultural use an Agricultural Viability Report must be prepared and must have concluded: (1) continued agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815; or (2) if agricultural use on the site (or the part of the site proposed for nonagricultural use) has ceased, then nonagricultural use may be permitted only if renewed agricultural use is demonstrated to be infeasible pursuant to Section 9-5.815. An exception to making this finding (in the preceding sentence) may only be made to allow a public school (subject to Section 9-5.704(c)). Nonagricultural development within Area C shall not be allowed unless a Specific Plan (see Section 9-5.705(c)(4)(xv)) is first adopted that: defines all development areas for Area C; provides permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Section 9-5.705(c)(1); and ensures that all plan policies will be met. Any nonagricultural use of a portion of Area C shall be sited to optimize agricultural use on the remainder of the site and on adjacent agricultural lands in unincorporated Santa Cruz County, including, but not limited to, maintenance of a 200 foot agricultural buffer consistent with Section 9-5.705(g)(6). Limited public school parking, sports fields, and pathways only shall be allowed within the "Public School Restricted Use Area" portion of the 200 foot agricultural buffer on the perimeter of Area C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area.

(ii) Environmentally sensitive habitat areas must be kept in a natural state and protected from intrusion of humans, domestic animals and livestock (including but not limited to adequate screening to block noise, glare, lights and visibility associated with same), from erosion, sedimentation and contaminated runoff, and from loud noise or vehicular traffic. Any development activity that alters drainage patterns to the portion of Hanson Slough at the southwestern corner of Area C shall provide for restoration of this portion of Hanson Slough to a functional wetland; this shall be provided for in a Biological Restoration Plan (Section 9-5.705(g)(4)). All environmentally sensitive habitat areas shall be buffered. There are three (3) environmentally sensitive habitat areas and at least three (3) environmentally sensitive habitat area buffer areas on Area C as depicted on Land Use Plan Figure 2A; the following environmentally sensitive habitat areas and buffering requirements shall be provided for by the Biological Restoration Plan (Section 9-5.705(g)(4)) as follows:

(aa) For the environmentally sensitive habitat area located between the top of slope at the edge of the development envelope depicted on Land Use Plan Figure 2A and the West Branch of Struve Slough: Within this environmentally sensitive habitat area, invasive exotics shall be removed and appropriate native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. A weed control plan shall be implemented to increase native plant coverage. The unimproved access ways in this area shall not be improved, and, preferably, shall be removed and revegetated. No other uses shall be allowed in this area with the exception of one area of utility crossing (i.e., one wastewater pipeline, one potable water pipeline, and associated infrastructure) provided that these utilities are otherwise allowed by this article. Any such area shall be the minimum width necessary to accommodate the utilities;

(ab) For the buffer area located between the top of slope at the edge of the development envelope depicted on Land Use Plan Figure 2A and Hanson Slough: Within this buffer, invasive exotics shall be removed and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. Passive recreation (such as a pedestrian trail), supervised education and active wetland restoration and research activities are allowed in this buffer;

(ac) For the 100 foot buffer area around the Hanson Slough riparian area located along the western boundary of Area C: Within this buffer, invasive exotics shall be removed and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted; and

(ad) For the area along Harkins Slough Road east of Lee Road that acts as a buffer to the California Department of Fish and Game Ecological Preserve: Within this buffer, invasive exotics shall be removed and native trees, shrubs and native grasses (e.g., from a native plant palette recommended by the California Department of Fish and Game) shall be planted. Within this buffer, one access road of the minimum width necessary to accommodate the permitted use shall be allowed if otherwise allowed by this ~~article~~ **ORDINANCE 15**

All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions, open space/conservation easements, or other such legal instruments shall be required for such buffer areas.

(iii) Maximum slope of developed portion of lot (before grading): fifteen (15%) percent except for isolated areas of slopes greater than fifteen (15%) within the development envelope shown on Land Use Plan Figure 2A and if required for construction of a public school only (subject to Section 9-5.704(c)), subject to Section 9-5.705(c)(5).

(iv) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on all of Area C before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation of the report's analysis and conclusion(s). If any portion of the site is confirmed by the Department of Fish and Game to be endangered plant habitat, such area shall be treated as environmentally sensitive habitat to which the Local Coastal Program environmentally sensitive habitat policies apply.

(v) Any development relying upon a septic tank or other on-site system, shall submit a specific design and engineering analysis by a licensed soils engineer, which demonstrates both sufficient separation between leaching fields and winter groundwater levels, and that the requirements of the Regional Water Quality Board are complied with.

(vi) Any development in a streambed must be conditional upon execution of and compliance with an Agreement ("1603 Agreement") with the California Department of Fish and Game under the requirements of Sections 1601 - 1603 of the California Public Resources Code.

(vii) Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a Biological Restoration Plan (Section 9-5.705(g)(4)) prepared by a qualified wetland biologist wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a dense visual

screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.

(viii) Residential lots may be smaller than the allocated density to allow for clustering. Any permitted residential use shall be clustered on the smallest lots possible with shared driveways and the remainder open space retained for agricultural uses. Residential development shall only occur within the development envelope shown on Land Use Plan Figure 2A.

(ix) Sewer (only for a public school, subject to Section 9-5.704(c)) and/or potable water service may be provided only if all of the following circumstances apply to such utility(ies):

(aa) They must be applied for and reviewed pursuant to Section 9-5.705(g)(10);

(ab) They shall be financed in a way which does not require or involve assessments against or contributions from properties along Lee Road outside of Area C, or against any agricultural property;

(ac) They shall be the minimum size pipes, pumps, and any other facility(ies) necessary to accommodate the permitted use, and evidence is provided from a licensed civil engineer indicating that this is the case;

(ad) They shall be designed and built to end as a hook-up to the allowed development with no other stubs on or off the site;

(ae) They shall incorporate dedication of a one-foot or greater nonaccess easement surrounding the outer boundary of the parcel(s) on which the development to be served by the utility(ies) will occur. The extensions of sewer service and potable water shall be prohibited across the nonaccess easement and the easement shall be dedicated to a public agency or private association approved by the City Council. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the Department of Fish and Game or a nonprofit land trust would be candidate entities to accept such an easement);

(af) The wastewater connection shall emanate from only one City sewer line (no greater than six (6") inches wide if a force main, or eight (8") inches wide if a gravity line) under Highway One north of Beach Road except that two (2) lines may be pursued if the requirements of subsection (ai) of this subsection (c)(4)(ix) are met. In such case, no more than two (2) sewer lines shall cross Highway One. If a sewer line is extended for a public school along Harkins Slough Road, such line shall be no greater than a six (6) inch force main and shall enter the school site as near to Highway One as possible;

(ag) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that provides that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel Number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the city from third parties in that geographic area, unless both of the following findings can be made:

(ba) The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been re-designated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and

(bb) The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's LCP or in Sections 30107.5 or 30121 of the Coastal Act;

In the event that a third party annexation west of Highway One is approved inconsistent with subsection (ba) or (bb) of this subsection (c)(4)(ix)(ag), the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation, and prohibit (1) the extension of urban services to this land, and (2) any subdivisions of the annexed land except those required for agricultural lease purposes;

(ah) Adequate capacity is available to serve the site; for water, the result shall not be a worsening of the groundwater overdraft situation; and

(ai) They must be placed within the City of Watsonville city limits, unless all of the following occur: (1) Caltrans will not allow such lines to be installed in the Caltrans right-of-way within the City limits; (2) the City makes a finding that there is a one-foot non-access strip surrounding the pipeline through County land which prohibits any tie-ins to the line and which is dedicated to a nonprofit agency; (3) the City makes a finding that any pipelines through County lands are located inland of the Santa Cruz County Utility Prohibition Overlay District adopted pursuant to the MOU required by City of Watsonville Local Coast Plan Amendment 1-99; (4) the line(s) through the County is (are) found consistent with the County local coastal program and have received an appealable County coastal permit; and (5) the connecting lines within the City limits comply with all other applicable provisions of this article.

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(x) No subdivision or other adjustment of parcel lines shall be allowed which results in the creation of any parcel that cannot accommodate development consistent with Zone C performance standards unless the parcel is permanently protected pursuant to Section 9-5.705(g)(5) and dedicated to agriculture or another open space use.

(xi) All development visible from Highway One and/or other Coastal Zone roads shall be sensitively designed and subordinate to preservation of the public viewshed. All development shall be designed to be compatible with the rural agricultural character of the surrounding rolling hill landscape (See also Section 9-5.705(g)(3)).

(xii) If improved site access is required to serve permitted development on Area C, such access shall be constructed from West Airport Boulevard and not Harkins Slough Road if this is feasible and corroborating evidence shows it to be the least environmentally damaging alternative. If this is not feasible, then the City shall recommend to Santa Cruz County that any improvements to Harkins Slough Road (including, but not limited to road widening), shall include replacing the West Branch of Struve Slough culverts under Harkins Slough Road with a bridge of adequate span to provide for flood protection and habitat connectivity between the West Branch of Struve Slough on Area C and the California Department of Fish and Game Reserve, unless an alternative that is environmentally equivalent or superior to a bridge is identified. The City shall also recommend against any fill of any portion of the West Branch of Struve Slough except for incidental public services. Any Harkins Slough Road improvements at the Hanson Slough crossing shall provide adequate culverts to ensure habitat connectivity. Development shall be designed to minimize the extent of any such Harkins Slough Road improvements; improvements not necessary to serve the permitted development are prohibited. Any such road improvements shall include measures to protect habitat, and shall be sited and designed to minimize the amount of noise, lights, glare, and activity visible and/or audible within the West Branch of Struve Slough. Night lighting shall be limited to the minimum necessary to meet safety requirements and shall incorporate design features that limit the height and lumination of the lighting to the greatest extent feasible; provide shielding and reflectors to minimize on-site and off-site light spill and glare to the greatest extent feasible; avoid any direct lumination of sensitive habitat areas; and, incorporate timing devices to ensure that the roadway is illuminated only during those hours necessary for school functions and never for an all-night period. Any such improvements to Harkins Slough Road shall be within the parameters of a Biological Restoration Plan prepared for such project pursuant to Section 9-5.705(g)(4).

(xiii) All development associated with Area C within unincorporated Santa Cruz County shall have a valid County Coastal Development Permit before any City Coastal Development Permit can be exercised.

(xiv) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation. All requirements of Section 9-5.705(g)(8) shall be implemented.

(xv) Area C is designated as a Special Study Area where development is subject to a Specific Plan, unless that development is: (1) one residence per existing parcel; or (2) a public school. All other development, subdivision, and/or lot line adjustment is subject to a Specific Plan. The Specific Plan shall: define all development areas for Area C; provide permanent measures to protect areas within Area C outside of the development envelope shown on Land Use Plan Figure 2A and outside of the building envelope pursuant to Land Use Plan Policy C.3.q and Section 9-5.705(c)(1) of this article; provide permanent measures to protect areas within agricultural and environmentally sensitive habitat areas and buffers; and ensure that all Local Coastal Program policies will be met. At a minimum, the Specific Plan shall:

(aa) Allow for nonagricultural development only on the parcel(s) or portion(s) of parcel(s) found infeasible for continued or renewed agricultural use under Land Use Plan Policy III.C.4 and Section 9-5.705(c)(4) of this article and only within the development envelope shown on Land Use Plan Figure 2A;

(ab) Not allow any subdivision or other adjustment of parcel lines that cannot accommodate development consistent with Area C performance standards unless the parcel is permanently protected and dedicated to agriculture or another open space use;

(ac) Allow for resubdivision of existing parcels which is encouraged to better meet LCP objectives for Area C;

(ad) Comply with all standards for development of Area C; and

(ae) The Specific Plan shall also:

(ba) Delineate a maximum building envelope of 8 acres within the development envelope shown on Land Use Plan Figure 2A that is found infeasible for continued or renewed agricultural use;

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(bb) Within the maximum building envelope, the maximum impervious surface coverage is seven (7) acres; the remaining one or more acres is for landscaping and other pervious surface uses;

(bc) Allow for subdivision for residential purposes resulting in lots as small as one acre (minimum size for septic systems), provided that there is a maximum of fifteen (15) residences permitted; and

(bd) Allow for portions of residential parcels to extend beyond the eight (8) acre maximum building envelope, provided that any such portions are restricted to agricultural uses or comprise the 200 foot agricultural buffer.

(5) *Criteria for an increase in impervious surface coverage and development on slopes.* An increase in impervious surface coverage (up to eighteen (18) acres of that portion of Area C within the development envelope defined in Land Use Plan Figure 2A) and development on isolated areas of slopes greater than fifteen (15%) (within the development envelope shown on Land Use Plan Figure 2A) on Area C may be allowed for a public school (subject to Section 9-5.704(c)) only if: (a) the following findings are made; and (b) the following mitigation measures are included as enforceable conditions of any coastal development permit granted for a public school:

(i) *Required Findings:*

(aa) The impervious surface coverage is the minimum necessary to accommodate a public school of a size documented as needed by the school district to serve existing and projected student populations and to meet State School Sizing Criteria;

(ab) There is no feasible alternative location;

(ac) The siting clusters the school as much as possible to leave as much of the nonhabitat part of the site available for continued agriculture, open space or habitat restoration;

(ad) *Airport safety.*

(ba) The Pajaro Valley Unified School District has, prior to submitting an application for a coastal development permit but after March 16, 2000, given written notice to the State Department of Education pursuant to California Education Code Section 17215, to request an airport safety and noise evaluation of any portion of Area C proposed for development. This notice shall request that this evaluation take into account changed circumstances since the 1992/97 Caltrans Aeronautics review, including but not limited to the following:

(ca) The public school development envelope approved by City of Watsonville Land Use Plan Amendment 1-99;

(cb) Relevant factors listed in the revised Office of Airport Procedures of the Aeronautics Program, dated December 19, 1998 (e.g., flight activity, type of aircraft, proposed operation changes, etc.);

(cc) The proposed runway extension; and

(bb) The City has received Department of Education documentation, pursuant to subsection (ba) of this subsection (C)(5)(i)(ad) indicating which portions of Area C are safe for public school development with respect to potential airport safety concerns; and

(ae) The design is evocative of, and designed to be compatible with, the rural agricultural character of the surrounding rolling hill landscape.

(ii) *Required coastal development permit conditions.*

(aa) The public school shall include: (1) an environmental stewardship program, with an interpretive and teaching plot adjacent to the upper finger of Hanson Slough on Area C for students to conduct supervised environmental restoration; and (2) a sustainable agricultural education component (e.g., similar to that at Watsonville High School) that may include some agricultural study plots on site.

(ab) There shall be no exterior night lighting, other than the minimum lighting necessary for pedestrian and vehicular safety purposes. All lighting shall be directed away from environmentally sensitive habitat areas and shall not be visible from any vantage point within environmentally sensitive habitat areas. All interior lighting shall be directed away from windows which are visible from environmentally sensitive habitat areas. All lighting shall be downward directed and designed so that it does not produce any light or glares off-site.

(ac) The Applicant shall develop a wetland restoration and landscape plan with input from a qualified wetland biologist and hydrologist that incorporates, at a minimum, all of the provisions of Section 9-5.705(c)(4)(b) of this article and that shall provide for the restoration of all buffer areas (from environmentally sensitive habitat areas and agriculture). The plan shall be submitted and approved by the City prior to issuance of the coastal development permit. The Applicant shall post a bond with the City of sufficient amount to provide for all environmental enhancements and all mitigation measures that are identified in any final environmental document(s) certified for the project.

(ad) There shall be screening between habitat and areas with human activity so that such areas shall not be visible from any vantage point within environmentally sensitive habitat areas.

(ae) All site runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation.

(af) Any land on Area C not incorporated into the building envelope for a public school shall be used only for agricultural purposes, open space, or habitat restoration, with the 200 foot buffer from the school and the fields adjusted accordingly. If the land is purchased by a school district, the district must present a binding agreement to offer the excess land for agricultural, open space, or habitat restoration use. An agreement to offer land for agricultural use must be made at no greater than fair market rents. Legal access must be provided to any remainder agricultural parcel, without any restrictions as to the farm employees' use.

(ag) Any agricultural wells on Area C that would be displaced by school development shall be made available at no more than current market costs to adjacent or nearby farmers, if such farmers demonstrate a need for the water and it can be feasibly transported to their fields.

(ah) The permittee shall record a deed restriction or an open space/conservation easement that provides that all agricultural and environmentally sensitive habitat areas and their buffers shall be permanently maintained and protected (see Section 9-5.705(g)(5)). All agricultural and environmentally sensitive habitat areas and their buffers shall be offered to appropriate resource management agencies and/or non-profit organizations along with sufficient funding to implement any mitigations or conditional requirements applicable to these areas.

(ai) An agricultural hold-harmless, right-to-farm agreement shall be recorded as a deed restriction on the property pursuant to Section 9-5.705(g)(7).

(aj) Any special event not associated with instructional programs and/or athletic events at the school that exceeds the maximum permitted student and employee capacity of the school, and/or that may adversely affect adjacent habitat areas, shall require a coastal development permit and shall be subject to all Area C performance standards.

(ak) There shall be a landscaping and grounds maintenance plan that provides for minimizing the use of pesticides, herbicides, and fertilizers, and protecting against adverse impacts associated with them. Such plan shall be submitted for the review and approval of the City. Pesticides and herbicides shall only be used if there is a documented problem and not on a regular preventative schedule, and shall not be applied if rain is expected. Nonchemical fertilizers are preferred. The least toxic alternatives, and the minimum necessary for the problem, shall be used in any case. The landscaping and grounds maintenance plan shall include nutrient control parameters.

(al) All mitigation measures that are identified in any final environmental document(s) certified for the project shall be incorporated as conditions of approval. In the event that any such mitigation measures are in conflict with these required conditions and/or with any Area C or other Local Coastal Program performance standards, then the conflicting portion of any such mitigation measure shall not be incorporated as a condition of approval.

(am) Prior to the issuance of a Coastal Development Permit, the applicant shall submit a full geotechnical investigation consisting, at a minimum, of the following:

(ba) Sufficient borings to fully characterize the soil conditions underlying all of the principal structures to be constructed;

(bb) Quantitative demonstration of bearing capacity of the soils;

(bc) Quantitative evaluation of lateral pressures to be expected due to the expansive nature of the soils at the site;

(bd) A seismic analysis consisting of the determination of the maximum credible earthquake at the site, corresponding maximum ground acceleration, and an estimate of the maximum duration of ground shaking;

(be) Evaluation of the potential for undiscovered potentially active fault strands crossing the site;

(bf) Quantitative analysis of slope stability for all natural and artificial slopes to be built for both static loads and for accelerations expected for the maximum credible earthquake at the site. Geotechnical parameters used in these calculations should be obtained from laboratory analyses of undisturbed samples collected at the site. In the case of fill slopes, geotechnical parameters may be estimated from fill materials similar to anticipated material to be used at the site;

(bg) Evaluation of shallow groundwater conditions occurring naturally at the site, and anticipated changes that will occur as a result of grading. In particular, the potential accumulation of perched groundwater at the contact between artificial fills and clay-rich natural soils should be addressed;

(bh) Demonstration that the planned drainage and detention system will be sufficient to prevent accumulation of perched ground water at the base of fills during, at a minimum, a 100-year storm event. Demonstration that peak runoff during such an event will be reduced to allowable levels before being discharged to the natural watersheds downstream of the site;

(bi) Evaluation of potential for liquefaction of natural soils and of artificial fills. In particular, the potential for liquefaction of artificial fills due to the presence of perched groundwater at the base of fills should be addressed;

(bj) All foundations and structures must be constructed to conform to the California Building Code using design parameters which take into account ground shaking expected in the maximum credible earthquake for the site. Special attention should be paid to possible misalignment of foundation supports brought about by the expansive soils at the site.

(an) The high school shall develop a refuse containment and maintenance program that includes at least the following components: fully enclosed or animal-proof garbage containers; specifically designated eating areas; and provisions built into maintenance contracts requiring that all eating areas anywhere on campus be swept clean on a daily basis.

(d) *Zone D. Performance standards.*

(1) Waste discharge requirements of the Regional Water Quality Control Board shall be met.

(2) Any new structures visible from the Pajaro River bicycle path shall be designed to minimize visual intrusion.

(e) *Zone E. Performance standards.*

(1) Waste discharge requirements of the Regional Water Quality Control Board shall be met.

(2) A fifty (50') foot setback from the environmentally sensitive habitat areas identified in the Coastal Land Use Plan for the City and County shall be provided.

(3) A reclamation plan providing for landscape contouring and vegetation consistent with proposed and surrounding land uses shall be submitted.

(4) The riparian habitat shall be kept in a natural state, and measures shall have been taken to protect the riparian habitat areas on the site and adjacent sites.

(5) A field search for the endangered Santa Cruz Tarweed shall be conducted by a qualified botanist during the time of year in which the plant is expected to be in bloom (between June and October) on the parcel(s) in question before approval of any development. The report of such field investigation shall be forwarded to the California Department of Fish and Game for evaluation. If any portion of the site is confirmed.

(f) *Zone R, Performance standards.*

(1) New off-ramps from Highway One shall be prohibited if designed to relieve congestion generated by public school development on Area C.

(2) New off-ramps from Highway One and/or additional road capacity for any roads, offramps, or overpasses within this district (e.g., Rampart Road, Airport Boulevard off-ramp, Main Street, Harkins Slough Road overpass) shall be prohibited unless all of the following have occurred:

(i) A traffic study has been completed by a qualified transportation engineer demonstrating that there exists a severe congestion problem inland of Highway One (i.e., level of Service D at peak periods) that cannot be solved by other feasible means (including but not limited to modifying traffic signal timing and alternative transportation measures) other than the new off-ramp or road widening project;

(ii) The project includes pedestrian, bicycle, and transit components, except in the case of off-ramp improvements only; and

(iii) There is a current City of Watsonville-adopted, legally-binding instrument (e.g., a memorandum of understanding) that provides that, except for the "Green Farm" parcel (Santa Cruz Tax Assessor's Parcel Number 052-271-04), the City will not pursue any additional annexations to the City west of Highway One, nor support any annexations to the City from third parties in that geographic area, unless both of the following findings can be made:

(aa) The land to be annexed is not designated Viable Agricultural Land Within the Coastal Zone (Type 3) by the Santa Cruz County General Plan/Local Coastal Program Land Use Plan, or the land to be annexed has been redesignated from Viable Agricultural Land Within the Coastal Zone to a different land use designation by the County of Santa Cruz through a Local Coastal Program Land Use Plan amendment and rezoning; and

(ab) The land is not Environmentally Sensitive Habitat, (including wetlands) as defined in Title 16, Section 16.32 of the County's Local Coastal Program or in Sections 30107.5 or 30121 of the Coastal Act.

In the event that a third party annexation west of Highway One is approved inconsistent with subsection (aa) or (bb) of this subsection (f)(2)(iii), the City will limit zoning of the incorporated land to that zoning most equivalent to the County's agriculture or open space designation; and prohibit (a) the extension of urban services to this land, and (b) any subdivisions of the annexed land except those required for agricultural lease purposes.

(3) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. Managed observation areas may be permitted adjacent to sensitive habitat areas, subject to an approved plan and management program that preserves sensitive habitat values and minimizes human disturbance.

(4) Except for the environmentally sensitive habitat area east of the farm road on Area C, all development shall be set back a minimum of 100' from any environmentally sensitive habitat area. Appropriate native trees, shrubs, and grasses shall be planted in the required setback area, consistent with a landscape plan prepared by a qualified wetland biologist, wherever development is adjacent to an environmentally sensitive habitat area, in such a manner as to provide a visual screen, impede human access and enhance bird roosting and nesting. Adjacent to running water, native riparian species are appropriate. In other areas native upland species are appropriate.

(5) All development shall be sited and designed to minimize the amount of noise, lights, glare, and activity visible and/or audible within environmentally sensitive habitat areas and their required buffers. Adequate screening (through plantings, soil berms, and/or solid wood fences) located outside of the environmentally sensitive habitat areas and their buffers shall be required to limit degradation of habitat and buffer areas, and to ensure that the amount of noise, lights, glare, and activity visible and/or audible in these areas are minimized.

(6) All environmentally sensitive habitat areas and environmentally sensitive habitat area buffers shall be permanently maintained and protected. Deed restrictions or open space/conservation

easements shall be required for all such areas pursuant to Section 9-5.705(g)(5).

(g) *All Zones A through E inclusive and R: Performance standards.* In addition to the specific performance standards for each Zone set forth in this article, all approved development applications shall be subject to performance standards, findings, and conditions as needed for conformance with the Chapter II policies ("Policies Affecting All Areas") of the certified Watsonville Coastal Land Use Plan (LUP), as follows:

(1) Each coastal development permit shall cite applicable Chapter II policies, and, as necessary, the specific manner in which the policy requirements will be met for the particular project and site.

(2) *Land Use Plan Policy II.A.4, Archaeologic Resources.* Permits shall be conditioned to require that if archaeological or paleontological materials are encountered, work which would disturb such materials shall be halted until reasonable mitigation measures, consistent with the standards prescribed by the State Historical Preservation Office, are implemented.

(3) *Policy II.B, Coastal Visual Resources.* New development shall be sited and designed to protect views of scenic coastal areas; in particular, this requirement shall apply to the seaward views from State Route One, across the wetlands and associated riparian areas of the Watsonville Slough Complex and along the Pajaro River. These existing scenic views of natural habitat and agricultural croplands shall be protected through all appropriate measures, including but not limited to:

(i) Where feasible, new structures shall be hidden from Highway 1; otherwise such development shall be screened through planting and permanent upkeep of appropriate tree species (such as native live oak which will provide, upon maturity, complete vegetative screening on a year-round basis.

(ii) All linear utilities (including but not limited to electrical power, telephone and cable television service connections) in new development shall be placed underground. Accessory utilities (e.g., utility meters, electrical panels, and transformers) shall be placed underground as practicable and safe.

(iii) Advertising and commercial signs that would block views from Highway 1 and/or other coastal zone roads to the wetland and riparian and other environmentally sensitive habitat areas shown on Land Use Plan Figures 2 and/or 2A, shall not be allowed. All signs shall be designed to be consistent with the architectural character of the development, designed to be an integral part of the landscape area, and compatible with the character of the surrounding scenic rural lands. Plastic shall not be used as a sign material. Sign illumination, where necessary,

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shall be the minimum required and shall be designed to avoid off-site glare.

(iv) Land divisions and/or lot line adjustments that would result in increased visibility of future development due to the configuration of the new parcels as seen from Highway One and/or other coastal zone roads shall be prohibited.

(v) Minimize alterations of the natural landform through avoidance of grading visible from Highway One and/or other coastal zone roads. Where grading visible from Highway One and/or other coastal zone roads cannot be avoided, such grading shall blend the contours of the finished surface with the adjacent natural terrain and landscape to achieve a smooth transition and natural appearance. No retaining walls around the perimeter of the school site shall be allowed; however, any interior retaining walls that may protrude above the level of finished grade shall be minimized in height and colored, textured, and landscaped to reduce visual impacts from Highway One and/or other coastal zone roads.

(vi) All development visible from Highway One and/or other coastal zone roads shall be sensitively designed and subordinate to preservation of the public viewshed. All development shall be designed to be compatible with the rural agricultural character of the surrounding rolling hill landscape, except that no design changes that would entail a new approval from the State Architect are required. Compatible design shall be achieved through the use of: utilitarian design features; roofs pitched above horizontal; low-slung buildings separated by open spaces to break up visual massing; large building facades broken up by varied rooflines, offsets, and building projections that provide shadow patterns; large structures broken down into smaller building elements (rather than long continuous forms); and second story building elements set back from the first story exterior. Large box-like designs, large unbroken roof lines, and/or large flat surfaces lacking architectural treatment shall not be allowed. All exterior finishes shall consist of earthen tone colors that blend with the surrounding landscape (such as board and batten wood siding). All required fencing shall be rustic split rail fencing of rough-hewn and unpainted wood timbers (e.g., cedar) with the exception that rustic wood fencing with no gaps can be utilized if such fencing is required to screen sensitive habitat areas from development.

(vii) All nonagricultural development shall include landscaping (for all areas not covered with structures) with only native plant species characteristic or indigenous to the immediate surrounding area that evoke the sense of rolling rural area. Such landscaping shall include a mix of natives grasses, shrubs, and trees coordinated with, and complementary to, building design, and consistent with a transition to the

natural landform. All landscaping shall provide for screening vegetation fronting any structures that are visible from Highway One and/or other coastal zone roads. These landscape requirements shall be implemented through a landscape plan that, at a minimum, shall specify that: (a) all plantings will be maintained in good growing conditions throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the plans; (b) landscaping will be kept free of weeds and invasive non-natives (such as acacia, pampas grass, and scotch broom) and shall require the removal of any such invasive non-natives that are already present on the site; (c) all landscaping will be provided with an adequate, permanent and nearby source of water which shall be applied by an installed irrigation, or where feasible, a drip irrigation system. The irrigation system shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, nonirrigated areas, walks, roadways or structures.

(4) *Biological restoration plans.* Any habitat restoration, enhancement, and/or buffering plans shall be prepared by a wetland biologist and hydrologist developed in consultation with and subsequently distributed for review by the Department of Fish and Game and U.S. Fish and Wildlife Service. The plans and the work encompassed in the plans shall be authorized by a coastal development permit. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the City. No changes to the approved final plans shall occur without a City-approved amendment.

The elements of such a plan shall at a minimum include:

(i) A detailed site plan of the entire habitat and buffer area with a topographic base map;

(ii) A baseline ecological assessment of the habitat and buffer area, including but not limited to, assessment of biological, physical, and chemical criteria for the area;

(iii) The goals, objectives, performance standards, and success criteria for the site, including specific coverage and health standards for any areas to be planted. At a minimum, explicit performance standards for vegetation, hydrology, sedimentation, water quality, and wildlife, and a clear schedule and procedure for determining whether they are met shall be provided. Any such performance standards shall include identification of minimum goals for each herbaceous species, by percentage of total plantings and by percentage of total cover when defined success criteria are met; and specification of the number of years active maintenance and monitoring will continue once success criteria are met. All performance standards shall state in quantifiable terms the level

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and extent of the attributes necessary to reach the goals and objectives. Sustainability of the attributes shall be part of every performance standard. Each performance standard shall identify: (1) the attribute to be achieved; (2) the condition or level that defines success; and (3) the period over which success must be sustained. The performance standards must be specific enough to provide for the assessment of habitat performance over time through the measurement of habitat attributes and functions including, but not limited to, wetland vegetation, hydrology, and wildlife abundance;

(iv) The final design, installation, and management methods that will be used to ensure the mitigation site achieves the defined goals, objectives, and performance standards;

(v) Provisions for the full restoration of any impacts that are identified as temporarily necessary to install the restoration or enhancement elements;

(vi) Provisions for submittal, within thirty (30) days of completion of initial (and subsequent phases, if any) of restoration work, of "as built" plans demonstrating that the restoration and enhancement has been established in accordance with the approved design and installation methods;

(vii) Provisions for a detailed monitoring program to include at a minimum provisions for assessing the initial biological and ecological status of the site. The assessment shall include an analysis of the attributes that will be monitored pursuant to the program, with a description of the methods for making that evaluation;

(viii) Provisions to ensure that the site will be promptly remediated if monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation program and provisions for such remediation. If the final report indicates that the mitigation project has been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental mitigation program to compensate for those portions of the original program which did not meet the approved performance standards. The revised mitigation program, if necessary, shall be processed as an amendment to this coastal development permit;

(ix) Provisions for submission of annual reports of monitoring results to the City for the first five (5) years after all restoration and maintenance activities have concluded (including but not limited to watering and weeding, unless weeding is part of an ongoing long-term maintenance plan) and periodic monitoring after that time, beginning the first year after submission of the "as-built" assessment. Each report shall include copies of all previous reports as appendices. Each report shall also include a "Performance Evaluation" section where

EXHIBIT I

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information and results from the monitoring program are used to evaluate the status of the project in relation to the performance standards.

(5) *Biological and agricultural easements.* Prior to issuance of a coastal development permit to proceed with development of any site where a portion of the property has use restrictions placed on it for habitat or agricultural purposes, the landowner of the parcel(s) subject to the permit, shall have completed the following:

(i) A document shall have been executed and recorded in a form and content acceptable to the City Attorney and the Executive Director of the Coastal Commission as described below, dedicating to a public agency or private association approved by the City Council an open space and conservation easement over the specified portion of the land for the purposes established in the coastal permit findings. The City Council must find that the accepting agency has a mandate or charter to carry out the purposes of the easement dedication (e.g., the California Department of Fish and Game and the U.S. Fish and Wildlife Service would be candidate agencies to accept a habitat easement). An outright dedication or other transfer of title of the specified portion of the land can substitute for an easement. The document shall show the area of protection, both mapped and described in metes and bounds, consistent with the Local Coastal Program and coastal permit conditions. The document shall be recorded free of prior liens and any other encumbrances that the City Attorney determines may affect such interest. The document shall limit uses of and activities in the area of protection to those enumerated in the coastal permit or in a management plan or other document approved by the City as fulfilling compliance with a coastal permit condition. Provisions shall be included that permit the City staff, or in the case of habitat preservation or buffering, staff of the Department of Fish and Game and U.S. Fish and Wildlife Service, to enter and inspect the property for purposes of determining compliance with approved plans and permit.

(ii) If no suitable accepting agency has been determined, then the document shall take the form of an irrevocable offer to dedicate the land (or an easement on the land) to a public agency or private association approved by the City Council. In this case, the offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of twenty-one (21) years, such period running from the date of recording the offer.

(iii) If a direct easement, outright dedication or other transfer of title, or irrevocable offer to dedicate the land are infeasible in the opinion of the City Attorney and the Executive Director of the Coastal Commission, then the document shall take the form of a deed restriction

over the specified portion of the land for the purposes established in the coastal permit findings. The deed restriction shall include a legal description and site plan of the Permittee's entire property. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the City Attorney determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without an amendment to the coastal development permit.

(iv) Review and approval by the Executive Director of the Coastal Commission of the aforementioned legal documents consistent with Section 9-5.414.

(6) *Agricultural buffers.* Provide and maintain a buffer of at least 200' between agricultural land and non-agricultural uses on the property devoted to the nonagricultural uses. The setback shall incorporate vegetative or other physical barriers and be as wide as determined is necessary to minimize potential land use conflicts. The buffer area shall be permanently protected and restricted by easement or dedication pursuant to Section 9-5.705(g)(5), such document to incorporate the objectives and requirements herein. Buffer plantings or any other required barriers shall be maintained in perpetuity. Uses allowed in the buffers shall be limited to student agricultural activities, septic systems, any habitat improvements as may be specified in a habitat restoration plan (see Section 9-5.705(g)(4)), and, for Area C only: (a) one road crossing of the minimum width for public safety purposes as necessary to serve the permitted use; and/or (b) limited public school parking, sports fields, and pathways within the "Public School Restricted Use Area" portion of the 200 foot agricultural buffer on the perimeter of Area C as shown on Land Use Plan Figure 2A; buildings and any other structures shall be prohibited in this area.

(7) *Right to farm disclosure and hold-harmless acknowledgment.*

(i) *Intent.* It is the declared policy of this City to encourage agricultural operations. It is the further intent of the City to provide to its residents, students, and workers proper notification of the City's support of those person's right to farm. Where nonagricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investment in farm improvements to the detriment of agricultural uses and the viability of the area's agricultural industry as a whole. It is the purpose and intent of this section to reduce the area's loss of its agricultural resources by clarifying the circumstances under which agricultural operations may be

considered a nuisance. An additional purpose of this section is to promote a good neighbor policy by advising purchasers of property of the inherent potential problems associated with the purchase, such as the noises, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations. It is intended that through mandatory disclosures, purchasers and users will better understand the impact of living, working, or attending school near agricultural operations and be prepared to accept attendant conditions as the natural result of living or being in or near rural lands.

(ii) *Findings.* No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with properly accepted customs and standards, shall be or become a nuisance, private or public, due to any changed condition in or about the locality. The term "nuisance" shall have the meaning ascribed to that term in California Civil Code Section 3479, which reads in part, "Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the use of property, so as to interfere with the comfortable enjoyment of life or property ... is a nuisance." The City of Watsonville has determined that the use of real property for agricultural operations is a high priority and favored use and those inconveniences or discomforts arising from such use, shall not be or become a nuisance.

(iii) *Disclosure Statement.* The following statement shall be included on all coastal zone permits issued by the City and shall be delivered to all new purchasers or lessees of property in the coastal zone:

The City of Watsonville declares it a policy to protect and encourage agricultural operations. If your property is located near or adjacent to an agricultural operation, you may at sometimes be subject to inconvenience of discomfort arising from the operation. If conducted in a manner consistent with applicable State and local laws, said inconveniences and discomforts shall not be or become a nuisance.

(iv) *Acknowledgment.* Prior to issuance of a coastal development permit for a nonagricultural use on a parcel adjacent to an agricultural parcel, the City shall receive proof that the following document has been recorded as a deed restriction. This statement shall be recorded and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs, or assignees. The statements contained in this acknowledgment are required to be disclosed to prospective purchasers of the property described herein, and required to be included in any deposit receipt for the purchase of the property, and

in any deed conveying the property, and distributed to all tenants, employees, students, or other uses of such property:

The undersigned do hereby certify to be the owner(s) or Lessees of the hereinafter legally described real property located in the City of Watsonville and do hereby acknowledge and agree: (a) that the property described herein is adjacent to land utilized or designated for agricultural purposes; (b) that residents, students, or other users of the property may be subject to inconvenience or discomfort or adverse effects arising from adjacent agricultural operations including, but not limited to, dust, smoke, noise, odors, fumes, grazing, insects, application of chemical herbicides, insecticides, and fertilizers, and operation of machinery; (c) users of the property accept such inconveniences and/or discomforts from normal, necessary farm operations as an integral part of occupying property adjacent to agricultural uses; (d) to assume the risks of inconveniences and/or discomforts from such agricultural use in connection with this permitted development; and (e) to indemnify and hold harmless the owners, lessees, and agricultural operators of adjacent agricultural lands against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any issues that are related to the agricultural land use and its impact to users of the property. It is understood that the City has established a 200 foot agricultural setback on the herein described property to separate agricultural parcels and non-agricultural uses to help mitigate, but not necessarily completely alleviate, these conflicts.

(8) *Polluted Runoff Controls.* All development shall incorporate structural and nonstructural Best Management Practices (BMPs). BMPs are methods for controlling, preventing, reducing, or removing typical runoff pollutants. BMPs generally fall into two categories: source control BMPs and treatment BMPs. Source control BMPs are designed to reduce or eliminate the introduction of pollutants into runoff (e.g., regular sweeping/vacuuming of vehicle parking areas). Treatment BMPs are designed to remove pollutants from runoff (e.g., silt fences to trap sediments at construction sites). In order of priority, all development shall: first, limit impervious surfacing and pollutant loading through good site planning; second, reduce pollutant loads through source control; and third, reduce pollutant loads through treatment controls (where appropriate). All development is subject to the following requirements, and shall at a minimum, include the following components:

(i) BMPs shall be designed to filter and/or treat the volume of runoff produced from each and every storm event up to and including the 85th percentile twenty-four (24) hour runoff event, prior to its discharge to a stormwater conveyance system, with the exception that more resource-protective runoff filtration and/or treatment standards for any specific coastal zone Area shall not be superceded.

(ii) Post-development peak runoff rates and volumes shall be maintained at levels similar to pre-development conditions.

(iii) All runoff shall be captured and filtered to remove typical runoff pollutants. Runoff from all surfaces subject to vehicular traffic or parking shall be directed through vegetative or other media filter devices effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates, or shall be filtered through an engineered filtration system specifically designed to remove vehicular contaminants. All filtered runoff that is suitable for groundwater recharge and/or wetland restoration purposes shall be directed to groundwater basins and/or wetlands in such a manner as to avoid erosion and/or sedimentation.

(iv) Opportunities for directing runoff into pervious areas on-site for infiltration and/or percolation of rainfall through grassy swales or vegetative filter strips shall be maximized where geotechnical concerns would not otherwise prohibit such use.

(v) Structural BMPs, other than vegetated strips consistent with a biological restoration plan, shall be placed outside of environmentally sensitive habitat buffer areas.

(vi) All development shall include Erosion Control Plans which clearly identify all BMPs to be implemented during construction and their location. Such plans shall contain provisions for specifically identifying and protecting all nearby storm drain inlets and natural drainage swales (with sand bag barriers, filter fabric fences, straw bale filters, block and gravel filters, drop-inlet sediment traps, etc.) to prevent construction-related runoff and sediment from entering into these storm drains or natural drainage areas which ultimately deposit runoff into the Watsonville Slough System and/or the Pacific Ocean. Silt fences, or equivalent apparatus, shall be installed at the perimeter of all construction sites. Except for the ESHA east of the farm road on Area C, no construction activity of any kind shall take place within 100 feet of any environmentally sensitive habitat areas, or outside of the development envelope shown on Land Use Plan Figure 2A. At a minimum, Erosion Control Plans shall also include provisions for stockpiling and covering of graded materials, temporary stormwater detention facilities, revegetation as necessary, restricting grading and earthmoving during the rainy season.

All Erosion Control Plans shall make it clear that: (1) dry cleanup methods are preferred whenever possible and that if wet cleanup is necessary, all runoff will be collected to settle out sediments prior to discharge from the site; all de-watering operations must require filtration mechanisms; (2) off-site equipment wash areas that provide containment and filtration of debris and wastewater are preferred whenever possible; if equipment must be washed on-site, the use of soaps, solvents, degreasers, or steam cleaning equipment should not be allowed; in any event, wash water shall not be allowed to enter storm drains or any natural drainage; (3) concrete rinsates shall be collected and shall not be allowed into storm drains or natural drainage areas; (4) good construction housekeeping shall be required (e.g., clean up all leaks, drips, and other spills immediately; refuel vehicles and heavy equipment off-site and/or in one designated location; keep materials covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather); and (5) all erosion and sediment controls shall be in place prior to the commencement of grading and/or construction as well as at the end of each day.

(vii) All parking lot areas, driveways, and other vehicular traffic areas on site shall be swept and/or vacuumed at regular intervals and at least once prior to October 15th of each year. Any oily spots shall be cleaned with appropriate absorbent materials. All debris, trash and soiled absorbent materials shall be disposed of in a proper manner. If wet cleanup of any of these areas is absolutely necessary, all debris shall first be removed by sweeping and/or vacuuming, all storm drains inlets shall be sealed, and wash water pumped to a holding tank to be disposed of properly and/or into a sanitary sewer system (if available). All permitted uses shall have on-site appropriate spill response materials (such as booms, absorbents, rags, etc.) to be used in the case of accidental spills.

(viii) All outside storage areas and loading areas shall be graded and paved and either: (1) surrounded by a low containment berm; or (2) covered. All such areas shall be: (1) equipped with storm drain valves which can be closed in the case of a spill; or (2) equipped with a wash down outlet to the sanitary sewer (if available).

(ix) All restaurants and/or food service uses shall include a plumbed wash-down area (either inside or out) connected to the sanitary sewer (if available).

(x) All BMPs shall be permanently operated and maintained. At a minimum:

(aa) All BMP traps/separators and/or filters shall be inspected to determine if they need to be cleaned out or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) prior to April 15th each year; and (3) during each month that it rains between November 1st and April 1st. Clean-out and repairs (if necessary) shall be done as part of these inspections. At a minimum, all BMP traps/separators and/or filters must be cleaned prior to the onset of the storm season, no later than October 15th of each year;

(ab) Debris and other water pollutants removed from BMP device(s) during clean-out shall be contained and disposed of in a proper manner; and

(ac) All inspection, maintenance and clean-out activities shall be documented in an annual report submitted to the City of Watsonville Public Works Department no later than June 30th of each year.

(9) *Environmentally sensitive habitat area buffers.* All environmentally sensitive habitat areas shall be buffered; specific buffer widths are specified for each Area (i.e., Areas A, B, C, D, E, and R) of the City's coastal zone. Such buffers shall be designed to shield such sensitive habitat areas from development, and to enhance the functional resource value of the buffer and the environmentally sensitive habitat area through a Biological Restoration Plan (Section 9-5.705(g)(4)) prepared for any development adjacent to environmentally sensitive habitat areas. Uses allowed within buffers shall be limited to low-intensity restoration activities (such as removal of invasive exotic species and replanting with native trees, shrubs, plants and grasses as appropriate), unless other uses are specifically identified for any particular buffer area in the performance standards for that area (see Section 9-5.705(a), (b), (c), (d), (e), and (f)).

(10) *Utility extensions.*

(i) An application for a development that requires public wastewater or water lines shall include:

(aa) A plan showing the location and sizing of all water and wastewater facilities;

(ab) Calculations indicating the amount of water needed and wastewater generated from the development;

(ac) Calculations for the commensurate sizing of the utility lines;

(ad) An analysis of alternative use of on-site systems; and

(ae) A financial plan showing estimated costs and financing means of initial installation and future maintenance.

(ii) In order to approve any such public wastewater or water line, City staff shall have verified that:

(aa) The facilities are sized no greater than necessary to serve the permitted development; and

(ab) The financial plan is sound and is not predicated on any third party funding that would induce growth inconsistent with this chapter.

(iii) Any permit to approve a public wastewater or water line must be conditioned to prohibit installation to occur prior to the commencement of construction of the development that it is to serve.

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988, as amended by § 1, Ord. 1080-99 C-M, eff. September 23, 1999; and § 1, Ord. 1096-00 C-M, eff. October 12, 2000)

Sec. 9-5.706. Utility Prohibition Overlay District.

(a) This subsection establishes a Utility Prohibition Overlay District (UPO). This is a minimum one-foot wide overlay district that applies to property within the Coastal Zone located along the boundary of Coastal Zone Areas A, B and C. The purpose of the Utility Prohibition Overlay District (UPO) is to maintain a stable urban rural boundary by ensuring that there will be no additional urban development outside the current western boundary of the City within the Coastal Zone, and to protect agricultural lands, environmentally sensitive habitats and wetlands while providing for concentrated urban development in the City.

(b) The regulations of the Utility Prohibition Overlay District (UPO) shall apply to all property identified in this section in addition to the regulations of the underlying zone or district with which the UPO District is overlaid. Where the regulations established in this district are in conflict with other zoning or land use plan regulations, the more restrictive and/or the most protective of coastal zone resources shall apply.

(c) Within the Utility Prohibition Overlay District (UPO), wastewater utility pipelines and potable water utility pipelines are prohibited. However, an exception can be made for one wastewater and one water line to serve a new public school on Area C provided:

(1) Caltrans will not allow such lines to be installed in the Caltrans right-of-way within the City limits;

(2) The City makes a finding that there is a one-foot non-access strip surrounding the pipelines through County land which prohibits any tie-ins to the line and which is dedicated to a nonprofit agency;

(3) The City makes a finding that any pipelines through County lands are located inland of the Santa Cruz County Utility Prohibition Overlay District adopted pursuant to the MOU required by City of Watsonville LCP Amendment 1-99;

(4) The lines through the County are found consistent with the County Local Coastal Program and have received an appealable County coastal permit; and

(5) The connecting lines within the City limits comply with all other applicable provisions of this article.

(d) The prohibitions specified within the UPO shall not restrict the repair, replacement, maintenance, refurbishment or functional improvements of existing water and sewer lines insofar as to maintain existing capacity of existing lines (or the potential addition of one new line to service the high school). In no case, however, is the physical expansion of these existing lines across the UPO allowed.
(§ 1, Ord. 1096-00 C-M, eff. October 12, 2000)

Article 8. Definitions

Sec. 9-5.800. General.

Unless the context requires otherwise, the definitions set forth in this article and in Chapter 18 of Title 14 of this Code shall be used in the interpretation and construction of this chapter.
(§ 1, Ord. 789-88 C-M, eff. December 8, 1988)

Sec. 9-5.805. Aggrieved person: Appellant of an appealable coastal permit.

"Aggrieved person" or "appellant of an appealable coastal permit" shall mean a person qualified to file an appeal of City action on a coastal permit, as defined in Section 30801 of the Public Resources Code of the State. Qualified persons include:

- (a) The applicant; and
- (b) Any other person who, in person or through a representative appeared at a public hearing held in conjunction with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the City of the nature of his or her concerns, or for good cause was unable to do either.

(§ 1, Ord. 789-88 C-M, eff. December 8, 1988)

Sec. 9-5.810. Appealable coastal development.

"Appealable coastal development" shall mean a development - application for a coastal permit which can be appealed to the Coastal Commission, but only for the types of development identified in Section 30603 of the Public Resources Code of the State, as follows:

COASTAL CONSERVANCY

Project Summary
January 24, 2002

WATSONVILLE COASTAL RESTORATION PLAN

File No. 01-144
Project Manager: Patsy Heasley

RECOMMENDED ACTION: Adoption of the Watsonville Coastal Restoration Plan and authorization to disburse up to \$3,000,000 to the City of Watsonville to acquire up to 88 acres within LCP Area C as recommended in the Plan.

LOCATION: City of Watsonville, Harkins Slough Road at Highway 1 (Exhibits 1 and 2).

PROGRAM CATEGORY: Coastal Restoration

ESTIMATED COST: Coastal Conservancy \$ 3,000,000*

* Specific appropriation of Proposition 12 funds.

PROJECT SUMMARY: The proposed project consists of adoption of the Watsonville Coastal Restoration Plan and acquisition of approximately 80 acres of grassland, riparian, wetland, and agricultural land, within the City of Watsonville's coastal zone. It will fortify an urban/rural boundary and help secure much stronger protections for hundreds of acres of wetlands and extremely valuable farmland in the lower Pajaro Valley.

The proposed project is part of a locally supported solution to a land use conflict involving demand for housing, the need for school space and the protection of thousands of acres of coastal habitat and agriculture. These three factors collided when the Pajaro Valley Unified School District (School District) proposed an amendment to the Local Coastal Plan that would allow the construction of a high school within Area C of the City of Watsonville's Local Coastal Plan. Area C is a largely uninterrupted rural landscape at the edge of the Watsonville city limits on the rural side of the accepted

urban/rural boundary. At the time the amendment was proposed, Area C would have accommodated either light industrial or residential development as conditional uses, but was otherwise zoned for agriculture and passive recreation. The need for the school was strongly felt within the community, but there were also serious concerns about adjacent sensitive habitats and the growth-inducing effect of bringing services over to serve the school.

The Watsonville Coastal Restoration Plan (the Plan) outlines a solution to this land use issue that was developed by local jurisdictions, environmentalists, and the Coastal Commission with the active involvement of Assemblyman Fred Keeley. Through the compromise, the school was permitted as a conditional use and the City of Watsonville committed to:

- 1) not pursue annexation of additional lands west of the highway,
- 2) prevent extension of utilities beyond Area C,
- 3) devise a development envelope that minimized impacts to Environmentally Sensitive Habitat Areas, and
- 4) ensure protection of lands in Area C not devoted to the high school.

The Plan recommends public or non-profit acquisition of land in Area C not devoted to the high school, as well as surrounding habitat and agricultural lands extending westward to the coast, in order to assist in implementation of the compromise and to reinforce the strong land use controls it provides for those lands. As recommended in the Plan, the proposed acquisition will protect onsite resources and fortify the urban/rural boundary that is the core of the compromise.

To carry out the proposed acquisition, the City of Watsonville will work with a private landowner and the School District to acquire approximately 80 acres of habitat and agricultural land through a combined purchase and land exchange. The property surrounds an area of about 42 acres on which the high school is intended to be built. As a part of the transaction, deed restrictions will be placed on all of the property so that the City's property is permanently protected for open

space, habitat and agriculture only, and nothing other than a school can be built on the property retained by the School District. This eliminates the potential for industrial, residential or any non-school development on any of Area C.

The project site (i.e., areas to be acquired by the City) supports degraded freshwater wetlands and annual grassland, a remnant stand of riparian woodland, and both actively cultivated and fallow farmland (Exhibit 2). It encompasses the upper end of the west branch of Struve Slough, part of the 800-acre complex of freshwater wetlands known as the Watsonville Slough System (WSS), which provides important habitat for resident and migrating waterfowl, raptors and other birds, amphibians, rare plants and other sensitive resources. A neighboring parcel supports the endangered California red-legged frog. Surrounding land extends largely undeveloped to the coast and contains the majority of the Watsonville sloughs' habitat, grasslands, riparian woodlands and thousands of acres of extremely valuable cropland. The proposed acquisition would directly protect some of these resources and strengthen protections for the remainder.

The proposed funding source is a specific appropriation in the Conservancy's FY 2000-2001 budget drawn from Proposition 12. The recommended action is supported by a broad spectrum of the community and is a key component to a land use compromise that was developed through intensive negotiations among local jurisdictions and community members.

COASTAL CONSERVANCY

Staff Recommendation
January 24, 2002

WATSONVILLE COASTAL RESTORATION PLAN

File No. 01-144
Project Manager: Patsy Heasley

STAFF

RECOMMENDATION: Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Section 31200-31215 of the Public Resources Code:

"The State Coastal Conservancy hereby approves the Watsonville Coastal Restoration Plan described in the accompanying staff recommendation and attached as its Exhibit 3.

The Conservancy further authorizes disbursement of an amount not to exceed \$3,000,000 (three million dollars) to the City of Watsonville to acquire fee title to up to 88 acres within LCP Area C in the City of Watsonville, as shown in exhibits 3 and 4 of the accompanying staff recommendation, subject to the following conditions:

1. Prior to the disbursement of any funds for acquisition, the City shall submit for the review and approval by the Executive Officer of the Conservancy all relevant acquisition documents, including the appraisal, agreements of purchase and sale, escrow instructions, easements, and documents of title relating to the acquisition of the property;
2. Prior to disbursement of any funds for acquisition, the City of Watsonville shall determine the consistency of the Watsonville Coastal Restoration Plan with the City's certified Local Coastal Plan pursuant to Section 31258 of the Public Resources Code;
3. The City shall pay no more than fair market value for the property interests acquired pursuant to this authorization, as established in an ap-

praisal approved by the Executive Officer of the Conservancy;

4. The City shall purchase the property only from willing sellers;
5. The property interests acquired pursuant to this authorization shall be managed and operated consistent with the purposes of open space, agriculture, wildlife habitat and natural resource enhancement and preservation, as provided in the Watsonville Coastal Restoration Plan, and shall be permanently dedicated to those purposes by deed restriction or other recorded instrument acceptable to the Executive Officer and held subject to the requirements of Public Resources Code Section 31116(b), including the right of the State of California to enter and take title to the property if any of the terms and conditions of this grant are violated;
6. A portion of the property (Parcel 6 and provisionally Parcel 5, as depicted in Exhibit 4 of the accompanying staff recommendation) may be transferred and used for school purposes, in addition to the purposes set forth in condition 5 above, provided that the City acquires in exchange, sufficient interest in the property shown as Parcels 2 and 3 in Exhibit 4, to protect their agricultural and natural resources, subject to requirements of condition 5 above; and provided further, that all other property within LCP Area C, not acquired by the City, is permanently restricted for development of a public school only, in addition to open space, agriculture and natural resource uses; and
7. Conservancy and Proposition 12 funding shall be acknowledged by erecting and maintaining a sign on the property, which has been reviewed and approved by the Executive Officer of the Conservancy."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

The proposed project is consistent with the purposes and criteria set forth in Chapter 5 of the Public Resources Code (31200-31215) regarding coastal restoration, and with the Conservancy's Project Selection Criteria and Program Guidelines."

STAFF DISCUSSION:

Project Description: The recommended project would result in acquisition and permanent protection of approximately 80 acres of agricultural land, freshwater wetlands, annual grassland, and a small area of riparian woodland in the City of Watsonville. The project would protect coastal resources both onsite and in the rural landscape stretching from the project site to the coast, by contributing to the creation of a stable urban/rural boundary. The proposed project site is within Area C of the City of Watsonville's Local Coastal Plan (LCP), which provides for a combination of limited development and open space protection on the subject property.

Coastal Restoration Plan

The City of Watsonville is located in southern Santa Cruz County, in an area that boasts extremely productive agricultural land as well as rare coastal freshwater wetlands. In the area of Watsonville, Highway 1 serves generally as both the coastal zone boundary and an effective urban/rural boundary. For the most part urban development is concentrated east of the highway where the bulk of property within the City boundary lies. The land west of the highway extending to the coast is essentially rural in character, with land use dominated by agriculture and wetland and riparian habitat. Permanent protection of the lands proposed for acquisition is called for both in the LCP and in the Watsonville Coastal Restoration Plan (the Plan) to resolve a local land use conflict having implications for resources of statewide significance.

The Watsonville area is currently very short on housing and development pressure is expected to increase not only from growth in its own population but also due to its proximity to the Silicon Valley, and cities of Santa Cruz and Monterey. Expansion of urban development on to lands between the highway and the coast is a serious concern to many in the community because of the loss of hundreds of acres of agriculture, habitat, and open space it would entail.

Attempts within the last few years to annex some of this area into the City for residential development met with strong opposition and ultimately failed. Similar concerns were raised when a small area west of the highway but within the City boundary (Local Coastal Plan Area C) was proposed for construction of a high school. Under the Local Coastal Plan (LCP) then in effect, residential or industrial development was permissible in LCP Area C as a conditional use, but school facilities were not. In 1999, the City of Watsonville submitted to the Coastal Commission an amendment to its LCP that would allow a school on the site. This proposed amendment generated a great deal of controversy, largely spawned by concerns that bringing utility services over Highway 1 to serve the high school would have a major growth-inducing effect given existing development pressure, and threaten the large expanses of habitat and agricultural lands west of the highway.

The Watsonville Coastal Restoration Plan outlines measures developed by consensus to resolve this issue. It presents the solution reached by the City of Watsonville, the County of Santa Cruz, the Coastal Commission, and local environmental groups, to allow for construction of the school while increasing controls on conversion of important surrounding coastal resources, and recommends acquisition of interests in nearby coastal agricultural and natural resource areas by a public agency or nonprofit organization to permanently protect these areas from development. The solution is as follows:

- Amend the City of Watsonville LCP to: allow construction of a public school at the desired site (within LCP Area C), require establishment of a one foot wide utility prohibition overlay surrounding the City bound-

ary west of the highway, which would prevent the extension of utilities beyond the City boundary, and commit the City to excluding the land west of the highway from City-sponsored annexation proposals;

- Amend the County of Santa Cruz LCP to establish a one foot wide utility prohibition overlay surrounding the City boundary west of the highway.

The County of Santa Cruz, the City of Watsonville, and the Coastal Commission have entered into a Memorandum of Understanding (MOU) in which they agree to adopt these recommendations through amendments to the City of Watsonville and County of Santa Cruz LCPs. The City's LCP amendments have been adopted and certified by the Commission, and the County's have been approved with modifications. The City's LCP amendment limits the potential envelope for development within Area C and provides for protection of lands outside the envelope.

The Plan recommends public agency or nonprofit public benefit corporation acquisition of lands within Area C outside the approved development envelope in order to secure the broader protection to coastal lands extending west from area C, that were devised in connection with construction of the high school. It also recommends acquisition of additional lands west of the highway to further reinforce the strengthened urban/rural boundary that would result from implementation of the foregoing actions.

Proposed Acquisition

The project recommended for Conservancy funding would implement the Plan's recommendation to permanently protect undeveloped portions of Area C. That area constitutes about 80 acres, more than two-thirds of the property, as shown and depicted on Exhibit 4. To implement the proposed project, the City of Watsonville would acquire approximately 44 acres on the northern portion of the property (Parcel 4, as shown in Exhibit 4) from a private landowner. It would also exchange with the Pajaro Valley Unified School District (School District), for consideration, a one-acre piece of that 44 acres (Parcel 6 as shown in Exhibit 4), for 37 acres of School District property on the southern por-

tion (Parcels 2 and 3, Exhibit 4). In addition, the landowner wishes to donate to the School District the 8-acre parcel identified as Parcel 5 on Exhibit 4 (in the event this donation does not occur, the proposed resolution would authorize the City to acquire and convey Parcel 5 to the School District as part of the exchange).

Prior to, or as part of the land transfers to the School District, deed restrictions would be placed both on the transferred property and on the southern portion of the property to be retained by the School District for construction of the high school, which would permanently prohibit construction of structures other than a public school or those associated with agricultural operations. This removes the potential for light industrial or residential development, currently conditionally permitted under the LCP, as potential uses on the property. The land held by the City would also be restricted to open space, habitat, and agricultural uses.

The total area to be held by the City upon completion of the project would be approximately 80 acres of cultivated and fallow agricultural lands, wetlands, grassland, and a small stand of riparian woodland. These acres will surround a 42-acre parcel that is planned for construction of a public high school. The School District will restore the wetland, grassland and fallow fields held by the City to native vegetation. The agricultural land will be either leased for continued cultivation or, if that is infeasible, restored to grasslands.

The result of the proposed project will be the certain and permanent protection of 80 acres of agriculture and natural resource lands. The only development that would be permitted on the remaining 42 acres of Area C would be a public school. Construction of a public school is the underpinning for the protections on land west of the highway adopted by the City of Watsonville and the County of Santa Cruz; the School District has obtained a coastal development permit for this development, subject to conditions. If the school is constructed, then local government prohibitions on future annexation and urban development on the hundreds of acres of agricultural land and wetlands west of the school site will be locked into place. In addition, con-

struction of the school will result in habitat restoration on the natural areas protected by the proposed project.

Under provisions of the MOU, if a public school is not built, the broader land use protections adopted by the local jurisdictions may be automatically rescinded. However, the project that is the subject of this recommendation would remain in effect and result in the protection of land on Area C, as well as permanently removing the development potential of anything other than a public school or agricultural structures on Area C. The project would also contribute significantly to the creation of an urban/rural boundary, by permanently protecting agricultural and open space lands at the urban edge.

Project Financing:	Total Project Cost	\$3,000,000
	Net Conservancy Cost:	\$3,000,000

The intended source of Conservancy funding for the project is a specific appropriation of Proposition 12 bond act funds in the FY 00-01 budget. The School District will be funding habitat restoration on the property and the City will undertake the long-term management.

Site Description: The project site consists of approximately 80 acres of a 122-acre property at the western edge of the City of Watsonville. It supports degraded freshwater wetlands and annual grassland, a remnant stand of riparian woodland, and both actively cultivated and fallow farmland. The site encompasses the upper end of the west branch of Struve Slough, part of the 800-acre complex of freshwater wetlands known as the Watsonville Slough System (WSS). From the slough bottom, the site climbs westward to a broad hilltop and then slopes gradually to the south and west. To the south is the main body of West Branch Struve Slough and a large adjoining piece of agricultural land. This neighboring land is split north to south by Hanson Slough, a remnant of which extends onto the southwest corner of the project site. Immediately west of the project is more cultivated and grazing land which trends generally westward into Harkins Slough, the largest and most intact arm of the slough system. Highway 1 forms the eastern boundary of the site.

The entire property consists of approximately 10 acres of freshwater marsh, 1 acre of riparian woodland, 39 acres of grassland, and 72 acres of farmed and fallow agricultural land, for a total of about 122 acres. The natural areas are dominated by non-native species, and the hydrology of the slough has been altered greatly, but because of their connection to larger habitat areas, they have high potential for restoration. The fields have most recently been devoted to strawberry production. The proposed acquisition would include all but .1 acre of the habitat areas listed above and about 30 acres of agricultural land for a total of approximately 80 acres.

As mentioned above, the property is situated among three branches of the Watsonville Slough System, with small areas of wetlands extending onto the property. The slough system as a whole has been designated by the Department of Fish and Game (the Department) as an Area of Special Biological Significance, and the Department owns seventy-five acres bordering the project site to the south as well as an additional 125 acres on nearby Harkins Slough. Both the wetland and upland areas of the slough system, including those on the project site contribute to its ecological value. Amphibian species such as frogs and salamanders often require uplands for part of their life cycle, while upland species such as raptors, songbirds, and deer benefit from the production of food associated with wetlands. The WSS as a whole is particularly important as a refuge, feeding and resting area for migratory, wintering and resident waterfowl, and is reported to support the largest concentration of migrant and wintering raptors in Santa Cruz County. The sloughs immediately adjacent to the high school site to the south support the federally threatened California red-legged frog, and provide potential habitat for the federally endangered Santa Cruz long-toed salamander, the California tiger salamander, a candidate for federal listing, and the Santa Cruz tarplant, a species proposed for listing as federally endangered.

Surrounding the wetlands and stretching to the coast are an estimated 3,000 acres of highly productive agricultural land. Agriculture in the Pajaro Valley produces 90% of Santa Cruz County's gross agricultural income,

which was \$276 million in 1997. Ownership of these lands is diverse, including large statewide and national operators, absentee landowners, and growers whose families worked the land for generations. The mild coastal climate, rich alluvial soils, and technological advances enabling further soil improvements, combined with a year-round growing season, allow for a diversity and flexibility of production found in few other places in the world.

Project History: As indicated in the description of the Watsonville Coastal Restoration Plan above, the proposed project is part of a multi-part resolution of a land use issue that has been growing for some time, but which crystallized around a proposal to build a school in an otherwise sparsely developed area. Since 1987, when the search for a suitable school began, the School District has evaluated more than a dozen potential locations with the assistance of a selection committee representing local citizens and jurisdictions. Finding an appropriate site in the vicinity of Watsonville is complicated by the extent of fertile farmland and wetlands, and the presence of a small airport which poses safety issues. Thus all potential sites had some degree of constraint, either environmental, infrastructure-related, safety-related, or political.

When the School District settled on the Area C site, it was not unanimously supported for a variety of reasons, but most commonly because of its proximity to wetland habitat and because of concerns about the growth-inducing effect of bringing utilities across Highway 1 to serve the school. After at least two lawsuits and intensive negotiations led by Assembly Fred Keeley, the City, the County, the School District and most local environmentalists reached a compromise that allayed the substance of the environmental concerns. A series of development controls have been incorporated into local land use plans that: commit the City of Watsonville to not pursuing annexation of additional lands west of the highway, prevent extension of utilities beyond Area C, result in a development envelope that minimized impacts to Environmentally Sensitive Habitat Areas, and ensure protection of lands in Area C not devoted to the high school. All of these measures have been incorporated into the City of Watsonville's certified LCP. The

proposed project furthers these elements of the LCP. As proposed, the project would be implemented in conjunction with the development of a high school in Area C. However, regardless of whether the high school is built, the benefits of the proposed property acquisition will be permanent and accrue to coastal habitat and agricultural resources both on and offsite.

PROJECT SUPPORT: The proposed project has broad local support as indicated by the letters attached as Exhibit 5. Advocates include the City of Watsonville, the County of Santa Cruz, the Santa Cruz Farm Bureau, the Land Trust of Santa Cruz County and State Assemblyman Fred Keeley.

**CONSISTENCY WITH
CONSERVANCY'S
ENABLING LEGISLATION:**

This coastal restoration project would be undertaken pursuant to Chapter 5 of the Conservancy's enabling legislation, Public Resources Code Sections 31200-31215.

Pursuant to Section 31200, the Conservancy may award grants to public agencies and nonprofit organizations for the purpose of restoration of areas where existing ownerships, lot layouts and other conditions are adversely affecting the coastal environment or impeding orderly development. Construction of a public school and the proposed protection of immediately surrounding lands, is the cornerstone of efforts to concentrate future development east of Highway 1 and to preventing future disorderly development in the coastal zone of southern Santa Cruz County on a broad scale.

Pursuant to Section 31201, all areas proposed for restoration by the conservancy, a local public agency, or a nonprofit organization shall be identified in a certified local coastal plan or program as requiring public action to resolve existing or potential development problems. The City of Watsonville's certified LCP embodies the land use solution outlined in the Watsonville Coastal Restoration Plan, and lays out detailed conditions for the development of a public school within the restoration plan area, including Policy C.5.b.(8) which states in part that all agricultural and ESHA areas and their buffers shall be offered to appropriate resource management

agencies and/or non-profit organizations. Through the recommended deed restrictions, conditions of the Conservancy grant will ensure that appropriate entities have the right to acquire interests in these areas in the event the City fails to protect them.

Consistent with Section 31204, the Conservancy may provide up to the total cost of any coastal restoration project. The legislature made a specific appropriation for this project in the Conservancy's FY 00/01 budget, which is sufficient to fund the entire acquisition.

Pursuant to Section 31208(b), the Watsonville Coastal Restoration Plan has been submitted to the City of Watsonville for its review. The City has 60 days to determine that the Plan is consistent with the certified local coastal program and such determination is a condition of disbursement of Conservancy funds.

CONSISTENCY WITH
CONSERVANCY'S
PROJECT SELECTION CRITERIA
AND GUIDELINES:

This project is consistent with the Conservancy Project Selection Criteria and Guidelines, adopted January 24, 2001 in the following respects:

REQUIRED CRITERIA

Promotion of the Conservancy's statutory programs and purposes: The proposed project furthers the purposes of the Conservancy's coastal restoration program as described above.

Consistency with purposes of the funding source: Funds were specifically appropriated to the Conservancy for this acquisition in the Budget Act of 2000 from the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond fund of 2000 (Proposition 12). Proposition 12 funds may be used for the acquisition of coastal resource lands pursuant to Division 21 of the Public Resources Code. Also consistent with Proposition 12 requirements regarding acquisitions, both the School District and the landowner is a willing seller.

Support from the public: The proposed project is part of a solution to a land use conflict that is endorsed by diverse local interests, including the Watsonville Wetlands Watch, the Land Trust of Santa Cruz County, the Santa Cruz County Farm Bureau, the Migrant Education Parent Advisory Board, the Pajaro Valley Unified School District, the City of Watsonville, the County of Santa Cruz, the Coastal Commission, and Assemblyman Fred Keeley.

Location: The proposed project site is within the coastal zone and its acquisition will benefit grassland, wetland, riparian and agricultural land both on the subject property and on lands stretching from there to the coast.

Need: The Coastal Conservancy is the only entity in a position to fund acquisition of the subject property within the timeframe that the School District and the landowner require. Without the proposed acquisition, protections instituted for properties coastsides of Highway 1 near Watsonville are at risk.

ADDITIONAL CRITERIA

Urgency: The Pajaro Valley Unified School District is required to complete its acquisition soon in order to retain its funding. Without the proposed project, the school is unlikely to be constructed and the resolution of the coastal land use conflict is likely to unravel. The landowner may not continue to be a willing seller if the acquisition is further delayed and in the absence of the school, could pursue residential or industrial development on his property. School development is a permitted use only until 2010, unless by that time a school has been constructed on the site.

Conflict resolution: As described elsewhere in this staff recommendation, the proposed project is part of the solution to a land use conflict that provides for construction of a much-needed community facility, the reinforcement of an urban/rural boundary, and protection of coastal resources both on and offsite.

Cooperation: Many parties have contributed to the development of the proposed project. It would be under-

taken in cooperation with the City of Watsonville and the Pajaro Valley Unified School District, and would implement a land use compromise formulated by the School District, the City, the County of Santa Cruz, the Coastal Commission, local environmental groups, and Assemblyman Fred Keeley.

**CONSISTENCY WITH
LOCAL COASTAL
PROGRAM POLICIES:**

As indicated in this staff recommendation and in the Watsonville Coastal Restoration Plan, the City of Watsonville's Local Coastal Plan was amended (October 2000) to add construction of a high school to the list of permitted conditional uses in Area C of its coastal zone, consisting of light industrial or residential development. The amendments also included provisions to minimize direct and indirect environmental impacts of the school's construction and operation. The proposed project implements several provisions of the LCP aimed at protecting the resource values of property both immediately adjacent to the school and extending to the coast. Under Policies Affecting All Areas, Policy A.2. states in part that lands suitable for agricultural use shall not be converted to non-agricultural uses. The proposed acquisition will enable continued cultivation of onsite agricultural land. Policy A.7 states that the City will not pursue or support annexation of additional land west of Highway (with one unrelated exception). The land protection accomplished by the proposed project will further reinforce the urban/rural boundary affirmed by that policy. In addition, Policy D.2 provides for protection of environmentally sensitive habitat areas (ESHA's) against any significant disruption of habitat values. The proposed project will result in permanent protection of more than 53 of the 54 acres of ESHA's in Area C.

Under Policies Affecting Specific Areas, Policy C.5.b.(6) states in part "Any land on Area C not incorporated into the building envelope for a public school shall be used only for agricultural purposes, open space, or habitat restoration...". The proposed project would permanently restrict lands outside the building envelope to these uses. Also, Policy C.3.j. reads "The City should work with the Wildlife Conservation Board, the Nature Conservancy, and other agencies to promote public or foundation acquisition of the upper half of the West

Branch of Struve Slough in order to allow a greater degree of resource protection than is possible under private ownership". The proposed project would protect the last privately owned portion of upper West Branch Struve Slough.

COMPLIANCE

WITH CEQA: The actions recommended for implementation in the Watsonville Coastal Restoration Plan—acquisition of grasslands, wetlands, and agricultural land—are categorically exempt under the California Environmental Quality Act in that they involve transfer of ownership or interest in land for the purpose of preserving open space (14 California Code of Regulations Section 15325) and for wildlife conservation purposes (14 California Code of Regulations Section 15313). Staff will file a Notice of Exemption upon approval of this recommendation.



Figure 3.1-1
Watsonville Slough Watershed

Legend

Watershed Boundary

Sloughs / Stream

Scale 1:10,000 or 1 inch = 1,000 feet

Project Area

Santa Cruz
County

Monterey
Bay

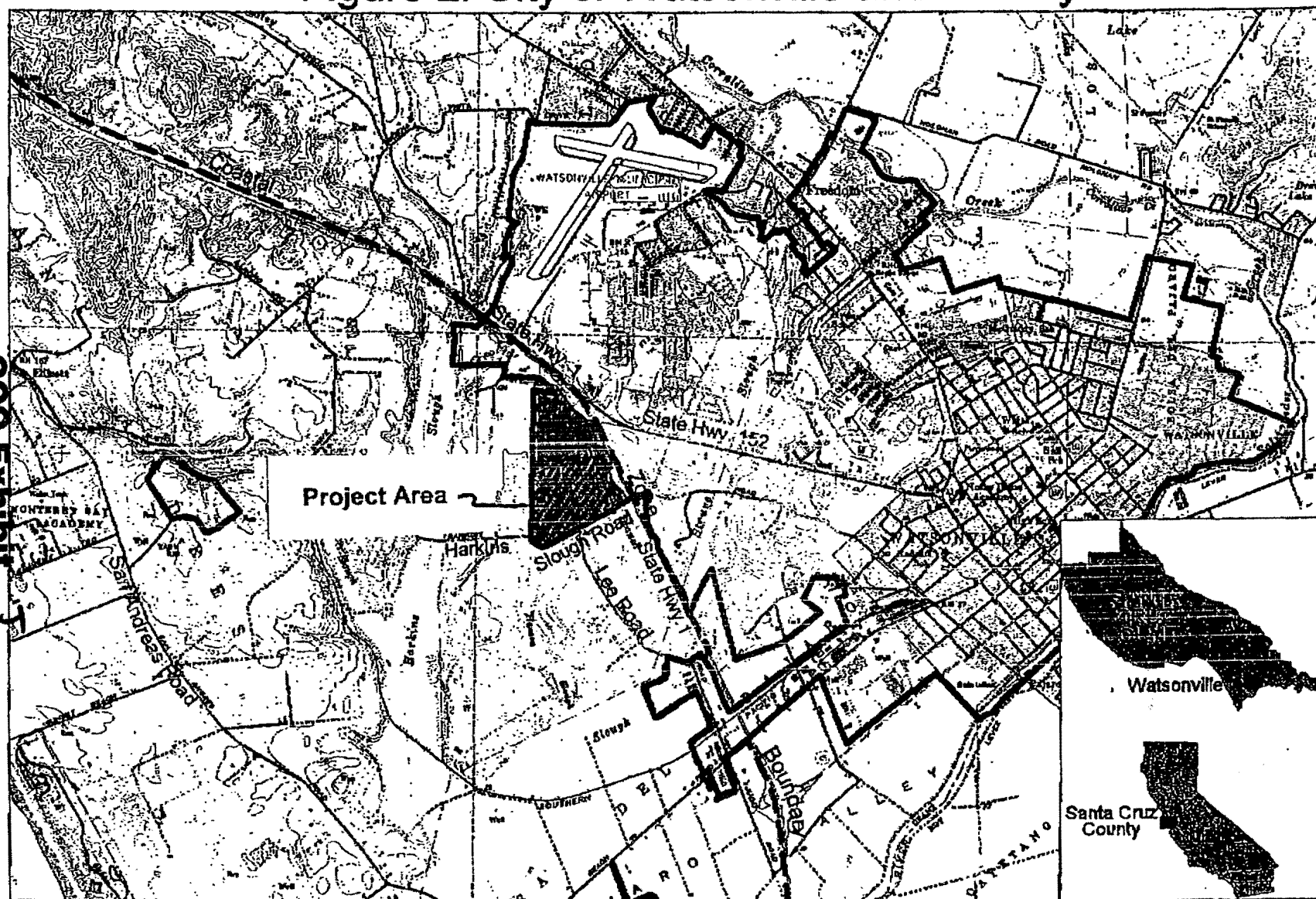
Monterey
County

Seawater Hydrology & Geomorphology
1155 Avenida Loma • Santa Cruz, CA 95061
Tel: 831.427.0000 • Fax: 831.427.0002

CCC EXHIBIT J


Watsonville LCP Major Amendment 1-99 Staff Report
Pajaro Valley Unified School District High School

Figure 2: City of Watsonville and Vicinity



- NOTE -

Locations approximate. For illustrative purposes only.

 Project Area/LCP Area C

 City of Watsonville



1
0
1

Miles

Source: USGS 7.5 minute Quadrangle Series.

GMC, 2000

Watsonville Coastal Restoration Plan

Setting

The City of Watsonville is in southern Santa Cruz County, approximately 3 miles inland from the coast. It lies within the Pajaro Valley, one of the most productive agricultural regions in the state. The Watsonville slough system, an 800-acre wetland complex formerly associated with the mouth of the Pajaro River, extends from the coast, along cultivated fields and up through portions of the City (Figure 1).

In the vicinity of Watsonville, the Coastal Zone boundary is formed by Highway 1. Currently, the City is contained almost entirely inland of the highway, with just over 7% of the City's land area falling west of Highway 1, within the coastal zone (Figure 2). The area west of the highway is predominantly undeveloped, supporting hundreds of acres of agriculture as well as wetlands and other coastal habitats. While there are exceptions, urban development is primarily concentrated east of the highway, with lands west of the highway remaining essentially rural.

Land Use Issues

This agriculturally and biologically rich setting is also home to approximately 76,000 people. Sitting at the southern edge of the Silicon Valley, and within commuting distance to Santa Cruz and Monterey, the area has become increasingly desirable for residential development. In recent years the City has petitioned the Local Agency Formation Commission (LAFCO) to extend its boundary to encompass additional property west of the highway for residential development. While the expansion would have allowed the construction of needed housing, it also would have meant conversion of over 200 acres of actively farmed cropland and penetration of the well-established urban/rural boundary. Compromise of the urban boundary in this way would have literally paved the way for similar developments on agricultural land and threatened the integrity of rare coastal habitats. LAFCO denied the applications, pending additional analysis of the proposal's effects on these resources, and the City has thus far not elected to pursue the matter.

Along with housing, the growing community is in need of educational facilities, including a high school. In 1998 the Pajaro Valley Unified School District (School District) proposed to build a new high school on property west of Highway 1, but within the City boundary, identified as Area C in the Local Coastal Plan (LCP) (Figure 2). However, at that time the LCP would not have permitted such a use in Area C. The City of Watsonville proposed amendments to the LCP to

allow construction of the school as a conditional use, in addition to the light industrial and residential conditional uses already provided for in the LCP. This proposal excited a large amount of controversy in the community, largely over the potential growth-inducing effect of bringing utilities west of the highway to serve the school.

The coastal zone portion of the City of Watsonville is thus an area in which both the coastal environment and the development of needed public improvements may be adversely affected by existing conditions created by private or scattered ownerships, and by potential future incompatible land uses and inadequate open space. Public action is needed to provide for the orderly development of public facilities without adversely affecting coastal and agricultural resources, and in a manner which does not promote further urban expansion into sensitive areas.

Resolution of Issues

The following actions have been recommended to allow City land west of the highway to be used for an extremely important community facility, while strictly curtailing the potential for further urban expansion in the area. These measures were devised through lengthy discussions among the School District, the City, the County of Santa Cruz, the Coastal Commission, and local environmental groups, and have broad support within the community.

- 1) Amend the City of Watsonville Local Coastal Plan designation to permit a high school as an alternative conditional use in Area C, within a specified development envelope;
- 2) Permanently protect agricultural, habitat and open space areas within Area C but outside the approved development envelope;
- 3) Exclude lands west of Highway 1 that are outside the current City boundary from future annexation; and
- 4) Establish side-by-side one foot wide utility prohibition overlays immediately adjacent to the City boundary west of Highway 1 (one on the City side and one on the County side), across which the placement of potable and wastewater utility pipelines would be prohibited.

This series of actions will allow for the construction of the high school (subject to all applicable Coastal Act requirements) while instituting much stronger provisions for concentrating development within the existing urbanized area. At the same time, they will increase protection of the agriculture and resource lands west of Highway 1.

Implementation

The County of Santa Cruz, the City of Watsonville, and the Coastal Commission have entered into a Memorandum of Understanding (MOU) in which they agreed to adopt these recommendations through amendments to the City of Watsonville and County of Santa Cruz LCPs. The Commission has already certified the City of Watsonville's LCP amendments and approved with modifications those submitted by the County.

The School District has acquired title to the southern 70 acres of Area C, including property necessary for construction of the high school, and has obtained a conditioned coastal development permit for the project. Lands within Area C but outside the development envelope for the high school should be acquired by a public agency or nonprofit public benefit corporation and permanently restricted to agriculture, resource protection and restoration, and open space purposes. Additional properties west of Highway 1 should also be acquired and protected for these purposes, as appropriate, to support the establishment of this urban boundary and preserve the area's important natural and agricultural resources.

Related Efforts

The growth limiting recommendations identified above will benefit a number of land use planning efforts currently underway. These include the urban growth boundary for the larger Pajaro Valley being developed by Action Pajaro Valley in cooperation with local jurisdictions, businesses and community members. This is a well-organized, citizen-initiated effort to develop a plan for growth in the Valley. In addition, the Coastal Conservancy has sponsored development of a watershed plan for the Watsonville Slough system, for which the draft plan has just been completed. Other land-use related planning processes include the Pajaro Valley Water Management Agency's revised basin plan which addresses long-term water supply, and the joint Santa Cruz-Monterey County public process for developing a locally-supported flood control project for the Pajaro River.

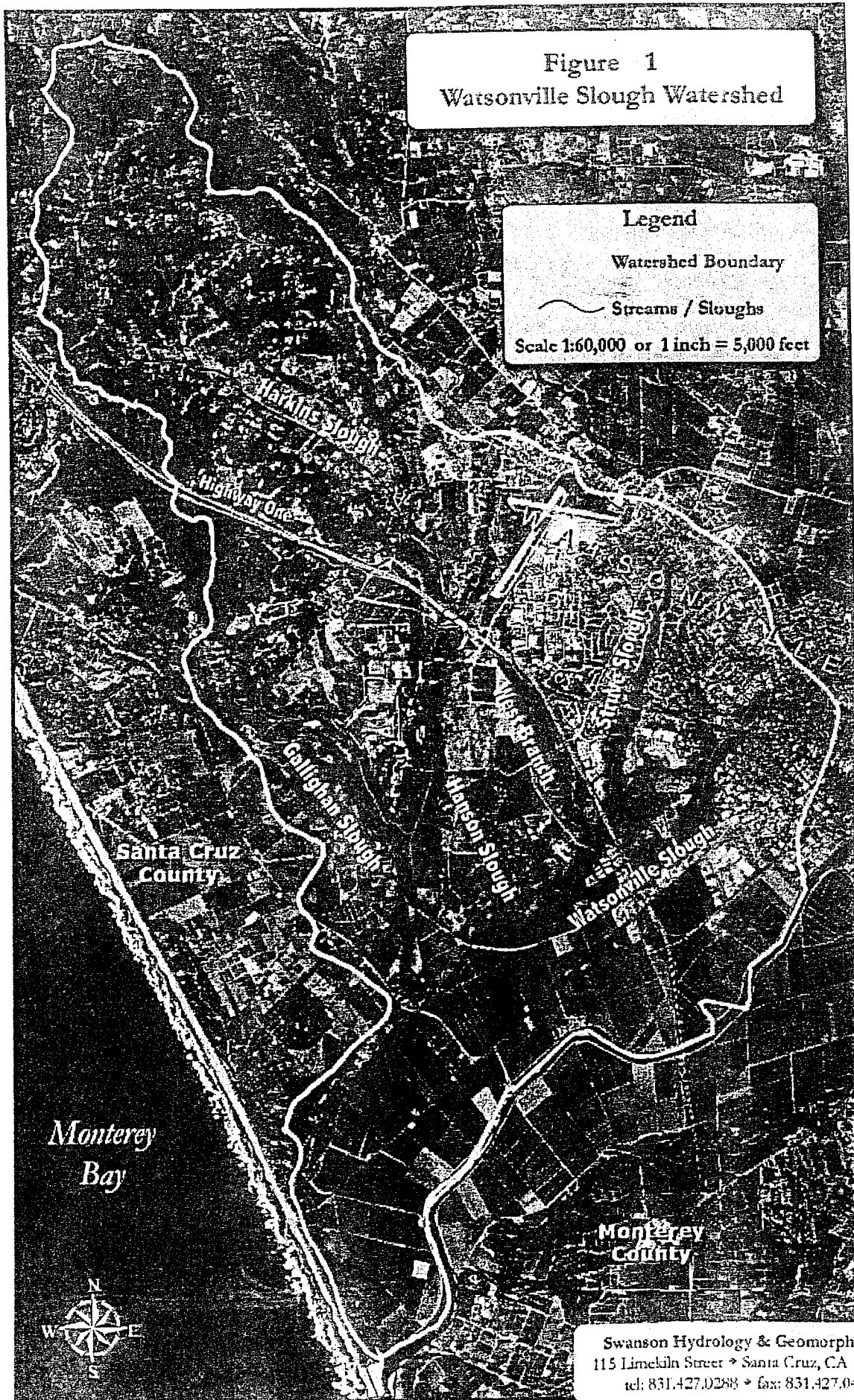
Figure 1
Watsonville Slough Watershed

Legend

Watershed Boundary

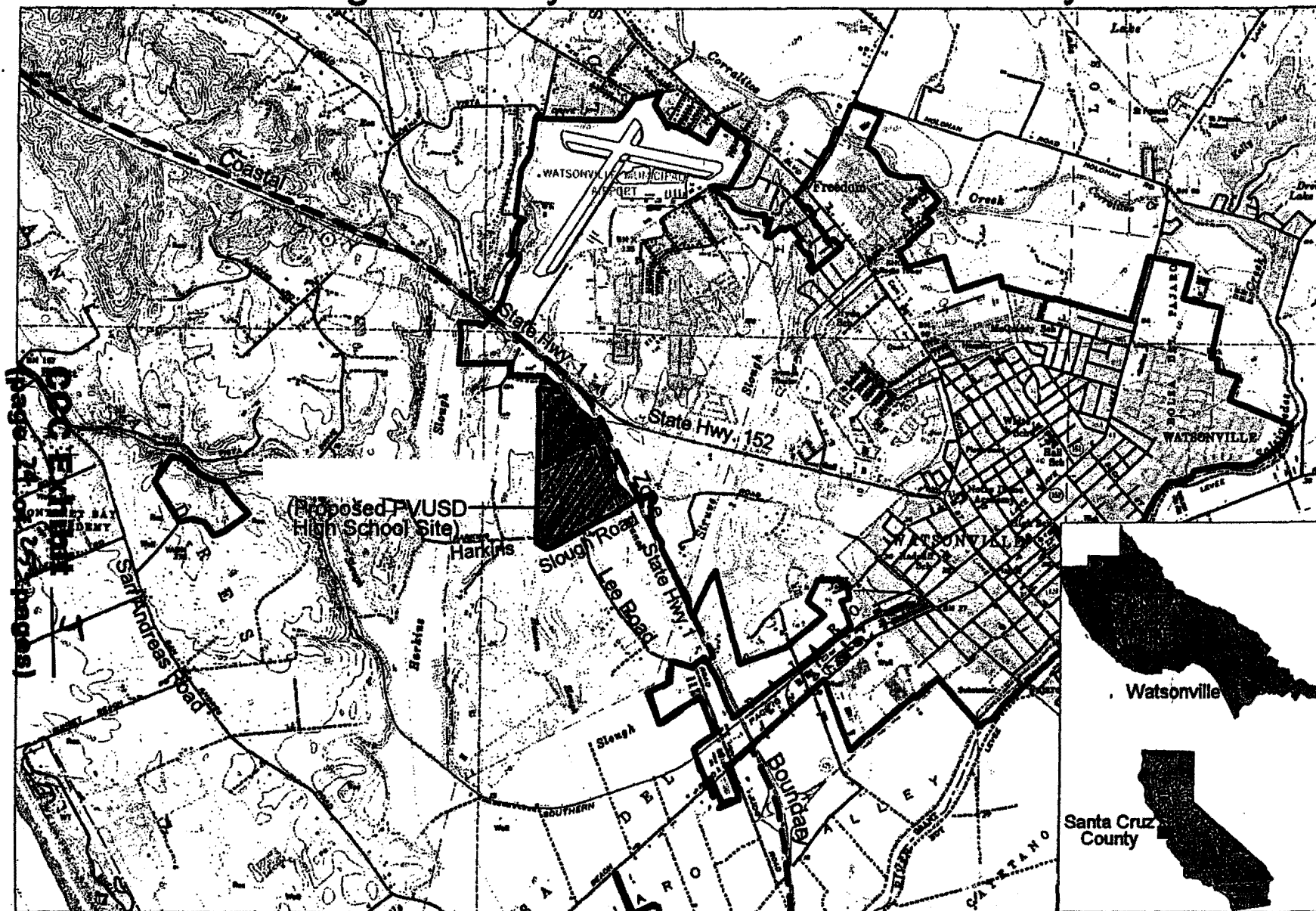
Streams / Sloughs

Scale 1:60,000 or 1 inch = 5,000 feet



Swanson Hydrology & Geomorphology
115 Limekiln Street • Santa Cruz, CA • 95060
tel: 831.427.0288 • fax: 831.427.0472

Figure 2: City of Watsonville and Vicinity



Page 24 of 25 (pages)

- NOTE -

Locations approximate. For illustrative purposes only.

Technical Services Division
California Coastal Commission

Area C

City of Watsonville



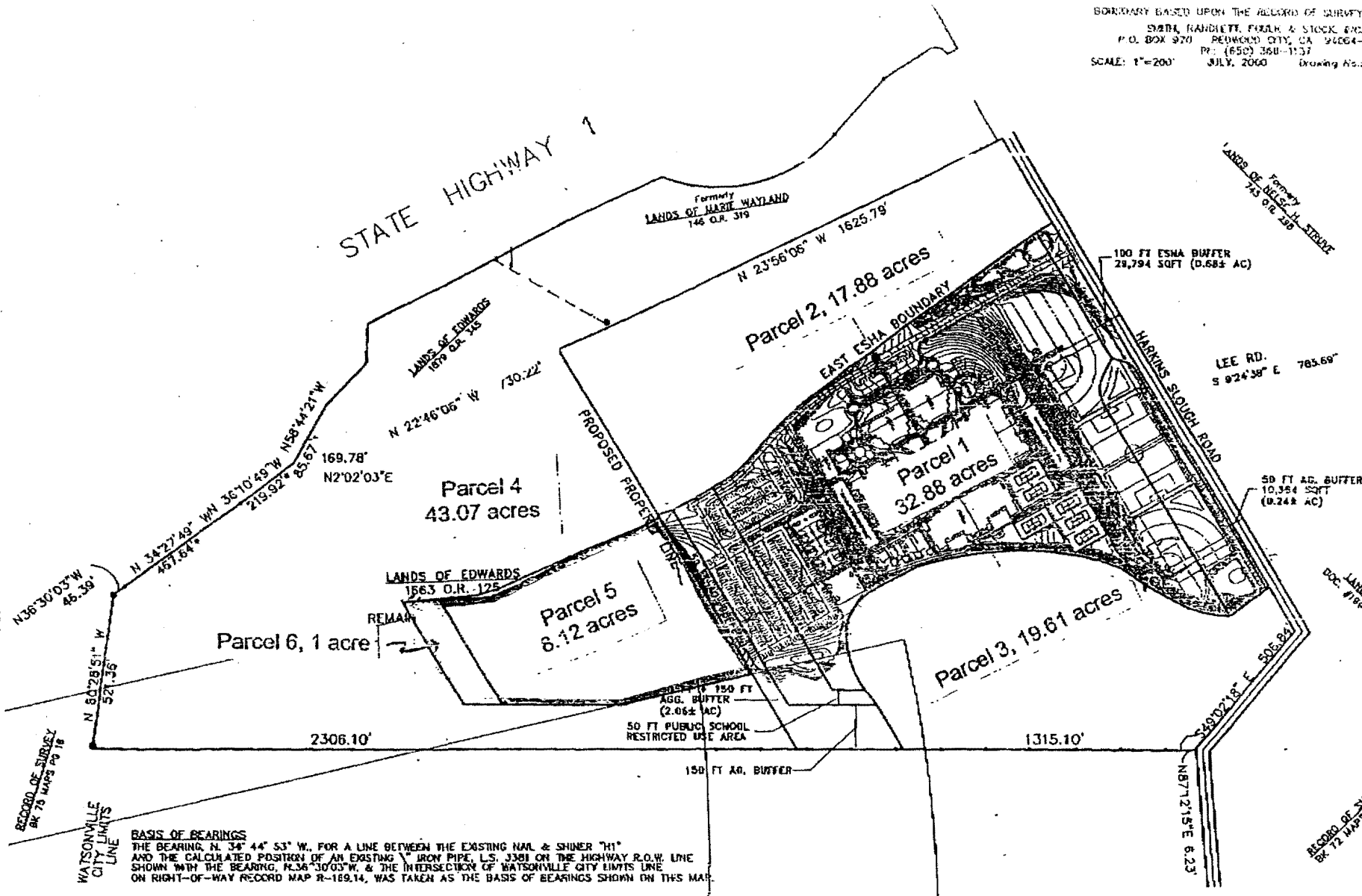
Source: USGS 7.5 minute Quadrangle Series.

GMB, 200

F.4/D

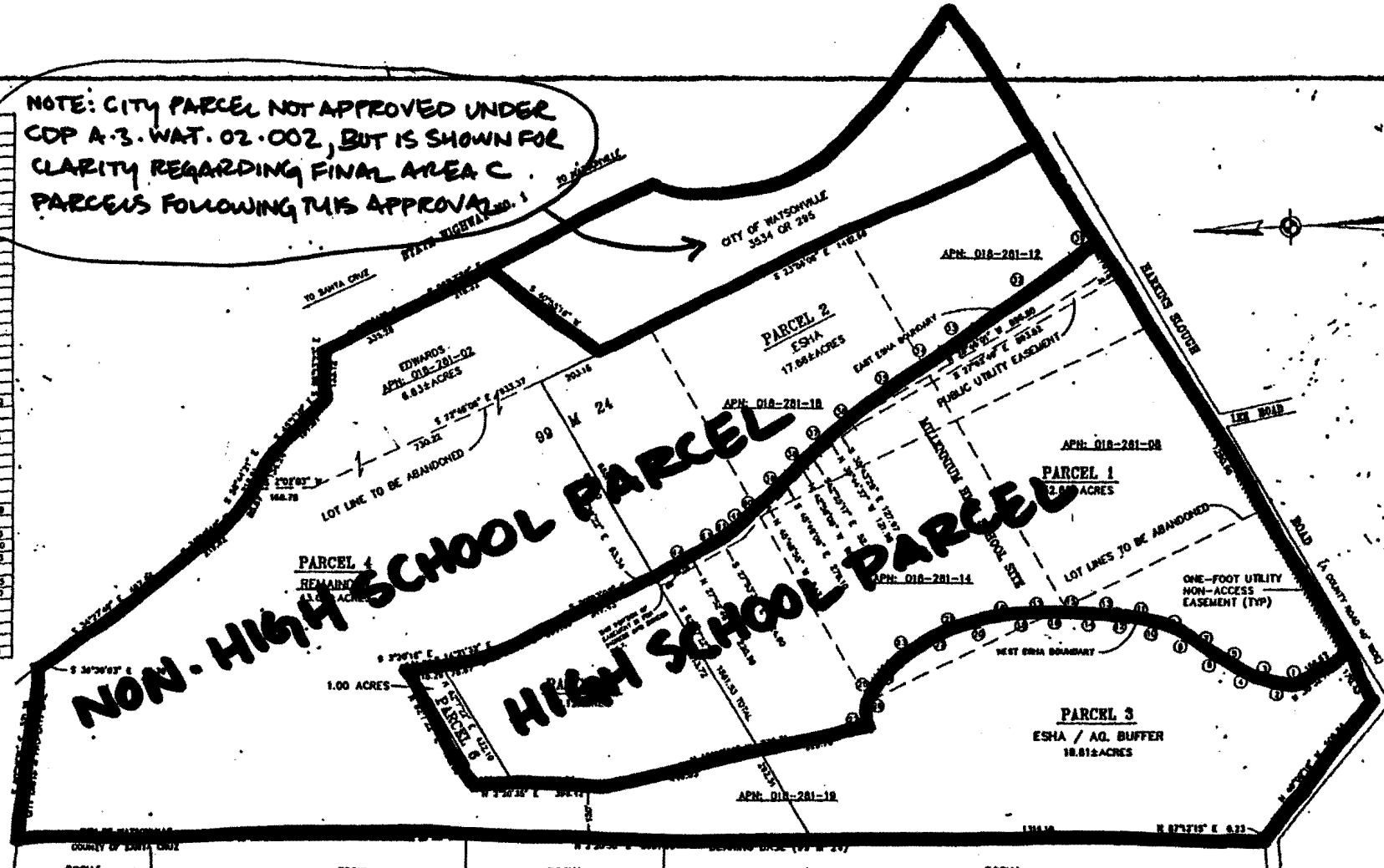
BOUNDARY BASED UPON THE RECORD OF SURVEY DONE BY
STATA, RANDLETT, PARK & STOCK, INC.
P.O. BOX 970 REDWOOD CITY, CA 94064-0970
PR. (650) 368-1137
SCALE: 1"=200' JULY, 2000 Drawing No.: 99025-C

STATE HIGHWAY 1



NO.	COURSE
1	N 27°32' E 16.73
2	N 17°40' E 48.14
3	N 21°40' E 48.72
4	N 31°30' E 49.96
5	N 30°32' E 54.18
6	N 32°25' E 10.88
7	N 32°25' E 80.15
8	N 21°21' E 24.41
9	N 21°25' E 80.74
10	N 20°27' E 50.00
11	N 18°00' E 48.30
12	N 17°00' E 48.28
13	N 17°00' E 48.92
14	N 17°00' E 48.25
15	N 17°00' E 50.02
16	N 17°00' E 48.88
17	N 17°00' E 50.01
18	N 17°00' E 50.07
19	N 17°00' E 49.73
20	N 17°00' E 100.72
21	N 17°00' E 48.85
22	N 17°00' E 48.84
23	N 17°00' E 100.23
24	N 17°00' E 48.11
25	N 17°00' E 53.11
26	N 17°00' E 50.85
27	N 17°00' E 48.74
28	N 17°00' E 87.41
29	N 17°00' E 50.88
30	N 17°00' E 118.71
31	N 17°00' E 108.33
32	N 17°00' E 181.60
33	N 17°00' E 141.73
34	N 17°00' E 50.18
35	N 17°00' E 103.85
36	N 17°00' E 114.50
37	N 17°00' E 54.22
38	N 17°00' E 54.41
39	N 17°00' E 53.95
40	N 17°00' E 181.60

NOTE: CITY PARCEL NOT APPROVED UNDER CDP A-3.WAT.02.002, BUT IS SHOWN FOR CLARITY REGARDING FINAL AREA C PARCELS FOLLOWING THIS APPROVAL.



NOTES:

APPLICANT: PAJARO VALLEY UNIFIED SCHOOL DISTRICT
c/o TERRY MOHENRY, ASSOC. SUPERINTENDENT
284 GREEN VALLEY ROAD
WATSONVILLE, CA 95078
PHONE: (831) 728-6200-EXT.203

OWNER: RALPH & KATHLEEN EDWARDS
5021 COAST ROAD
SANTA CRUZ, CA 95060

EXISTING AREAS:
APN: 018-281-08 8.88ACRES
APN: 018-281-12 8.88ACRES
APN: 018-281-14 8.88ACRES
APN: 018-281-18 8.88ACRES
APN: 018-281-19 76.02ACRES
APN: 018-281-02 8.88ACRES
TOTAL AREA 122.57ACRES

PROPOSED AREAS:
PARCEL 1 32.88ACRES
PARCEL 2 17.88ACRES
PARCEL 3 18.81ACRES
PARCEL 4 43.07ACRES
PARCEL 5 8.12ACRES
PARCEL 6 1.00ACRES
TOTAL AREA 122.57ACRES

THE BOUNDARY FOR THIS ADJUSTMENT IS SHOWN ON THE MAP RECORDED IN VOLUME 89 OF MAPS, AT PAGE 24, SANTA CRUZ COUNTY

THIS MAP DOES NOT CREATE ANY NEW OR NON-CONFORMING PARCELS. IT DEPICTS THE PROPOSED BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 018-281-08, 018-281-12, 018-281-14, 018-281-18 AND 018-281-19 SUBJECT TO THE RECORDING OF DEEDS.



NEW MILLENNIUM HIGH SCHOOL PAJARO VALLEY UNIFIED SCHOOL DISTRICT CITY OF WATSONVILLE SANTA CRUZ COUNTY CALIFORNIA	
SCALE: 1"=200'	APN: 018-281-18, 02,14,18,12,08
DATE: NOV. 21, 2001	MID COAST ENGINEERS
DATE: DEC. 8, 2001	CIVIL ENGINEERS AND LAND SURVEYORS
DATE: 01188	70 PENNY LANE, WATSONVILLE, CA 95078 (408) 726-2880
PROPOSED LOT LINE ADJUSTMENT	
1 OF 1	

CDP A-3.WAT.02.002 APPROVED PARCELS RECEIVED

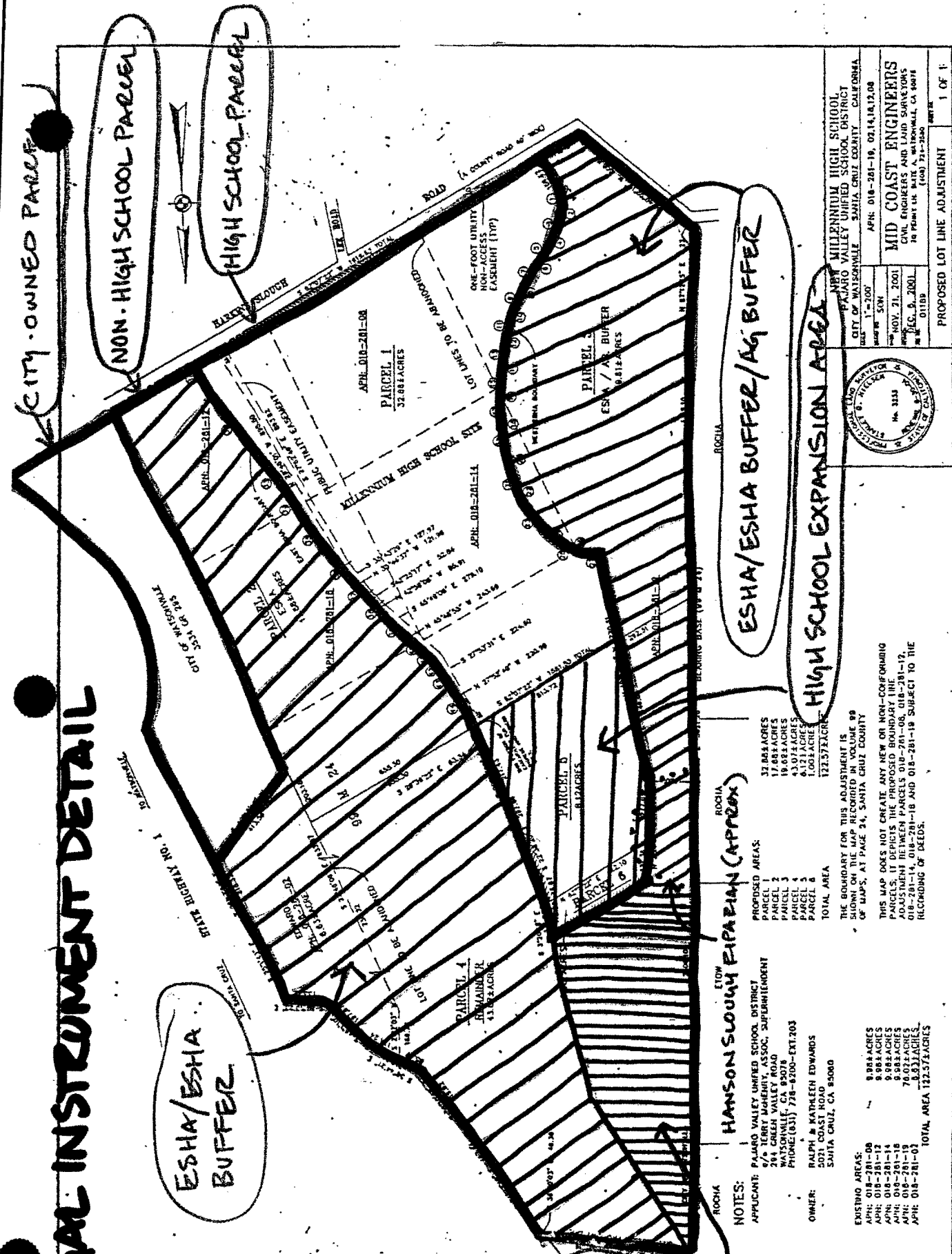
Attachment/Exhibit to:

Resolution No. 302-01 (CM)

DEC 05 2001

LEGAL INSTRUMENT DETAIL

NO.	COURSE
1	N 271°17' E 117.8
2	N 134°05' E 41.1
3	N 75°03' E 42.1
4	N 33°15' E 40.1
5	N 212°25' E 41.1
6	N 31°25' E 44.1
7	N 107°27' E 38.0
8	N 138°02' E 41.2
9	N 72°25' E 41.2
10	N 271°17' E 117.8
11	N 134°05' E 41.1
12	N 75°03' E 42.1
13	N 33°15' E 40.1
14	N 212°25' E 41.1
15	N 31°25' E 44.1
16	N 107°27' E 38.0
17	N 138°02' E 41.2
18	N 72°25' E 41.2
19	N 271°17' E 117.8
20	N 134°05' E 41.1
21	N 75°03' E 42.1
22	N 33°15' E 40.1
23	N 212°25' E 41.1
24	N 31°25' E 44.1
25	N 107°27' E 38.0
26	N 138°02' E 41.2
27	N 72°25' E 41.2
28	N 271°17' E 117.8
29	N 134°05' E 41.1
30	N 75°03' E 42.1
31	N 33°15' E 40.1
32	N 212°25' E 41.1
33	N 31°25' E 44.1
34	N 107°27' E 38.0
35	N 138°02' E 41.2
36	N 72°25' E 41.2
37	N 271°17' E 117.8
38	N 134°05' E 41.1
39	N 75°03' E 42.1
40	N 33°15' E 40.1
41	N 212°25' E 41.1
42	N 31°25' E 44.1
43	N 107°27' E 38.0
44	N 138°02' E 41.2
45	N 72°25' E 41.2
46	N 271°17' E 117.8
47	N 134°05' E 41.1
48	N 75°03' E 42.1
49	N 33°15' E 40.1
50	N 212°25' E 41.1
51	N 31°25' E 44.1
52	N 107°27' E 38.0
53	N 138°02' E 41.2
54	N 72°25' E 41.2
55	N 271°17' E 117.8
56	N 134°05' E 41.1
57	N 75°03' E 42.1
58	N 33°15' E 40.1
59	N 212°25' E 41.1
60	N 31°25' E 44.1
61	N 107°27' E 38.0
62	N 138°02' E 41.2
63	N 72°25' E 41.2
64	N 271°17' E 117.8
65	N 134°05' E 41.1
66	N 75°03' E 42.1
67	N 33°15' E 40.1
68	N 212°25' E 41.1
69	N 31°25' E 44.1
70	N 107°27' E 38.0
71	N 138°02' E 41.2
72	N 72°25' E 41.2
73	N 271°17' E 117.8
74	N 134°05' E 41.1
75	N 75°03' E 42.1
76	N 33°15' E 40.1
77	N 212°25' E 41.1
78	N 31°25' E 44.1
79	N 107°27' E 38.0
80	N 138°02' E 41.2
81	N 72°25' E 41.2
82	N 271°17' E 117.8
83	N 134°05' E 41.1
84	N 75°03' E 42.1
85	N 33°15' E 40.1
86	N 212°25' E 41.1
87	N 31°25' E 44.1
88	N 107°27' E 38.0
89	N 138°02' E 41.2
90	N 72°25' E 41.2
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92	N 134°05' E 41.1
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96	N 31°25' E 44.1
97	N 107°27' E 38.0
98	N 138°02' E 41.2
99	N 72°25' E 41.2
100	N 271°17' E 117.8



HANSON SLOUGH EIPARIAN (APPROX)

NOTES:
 APPLICANT: PALJARO VALLEY UNITED SCHOOL DISTRICT
 264 GREEN VALLEY ROAD
 WATSONVILLE, CA 95078
 PHONE (831) 728-8200-EXT 203

OWNER: RAUPH & KATHLEEN EDWARDS
 2021 COAST ROAD
 SANTA CRUZ, CA 95060

EXISTING AREAS: APN: 018-281-08 8.88 ACRES APN: 018-281-14 8.88 ACRES APN: 018-281-18 8.88 ACRES APN: 018-281-19 70.02 ACRES APN: 018-281-03 8.82 ACRES TOTAL AREA 122.57 ACRES	PROPOSED AREAS: PARCEL 1 32.88 ACRES PARCEL 2 17.88 ACRES PARCEL 3 19.88 ACRES PARCEL 4 43.07 ACRES PARCEL 5 6.01 ACRES PARCEL 6 122.57 ACRES TOTAL AREA 122.57 ACRES
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THE BOUNDARY FOR THIS ADJUSTMENT IS SHOWN ON THE MAP RECORDED IN VOLUME 89 OF MAPS, AT PAGE 24, SANTA CRUZ COUNTY.

THIS MAP DOES NOT CREATE ANY NEW OR NON-CORFORMING PARCELS. IT DEPICTS THE PROPOSED BOUNDARY LINE ADJUSTMENT BETWEEN PARCELS 018-281-08, 018-281-17, 018-281-18, 018-281-19 AND 018-281-18 SUBJECT TO THE RECORDING OF DEEDS.

PALJARO VALLEY UNITED SCHOOL DISTRICT CITY OF WATSONVILLE, SANTA CRUZ COUNTY, CALIFORNIA DATE: 11-20-01 DRAWN BY: SCW NOV. 21, 2001 CIVIL ENGINEERS AND LAND SURVEYORS 10 POINT BLVD., WATSONVILLE, CA 95078 01818 (408) 733-2200		PROPOSED LOT LINE ADJUSTMENT 1 OF 1
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